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American Journalism Historians Association

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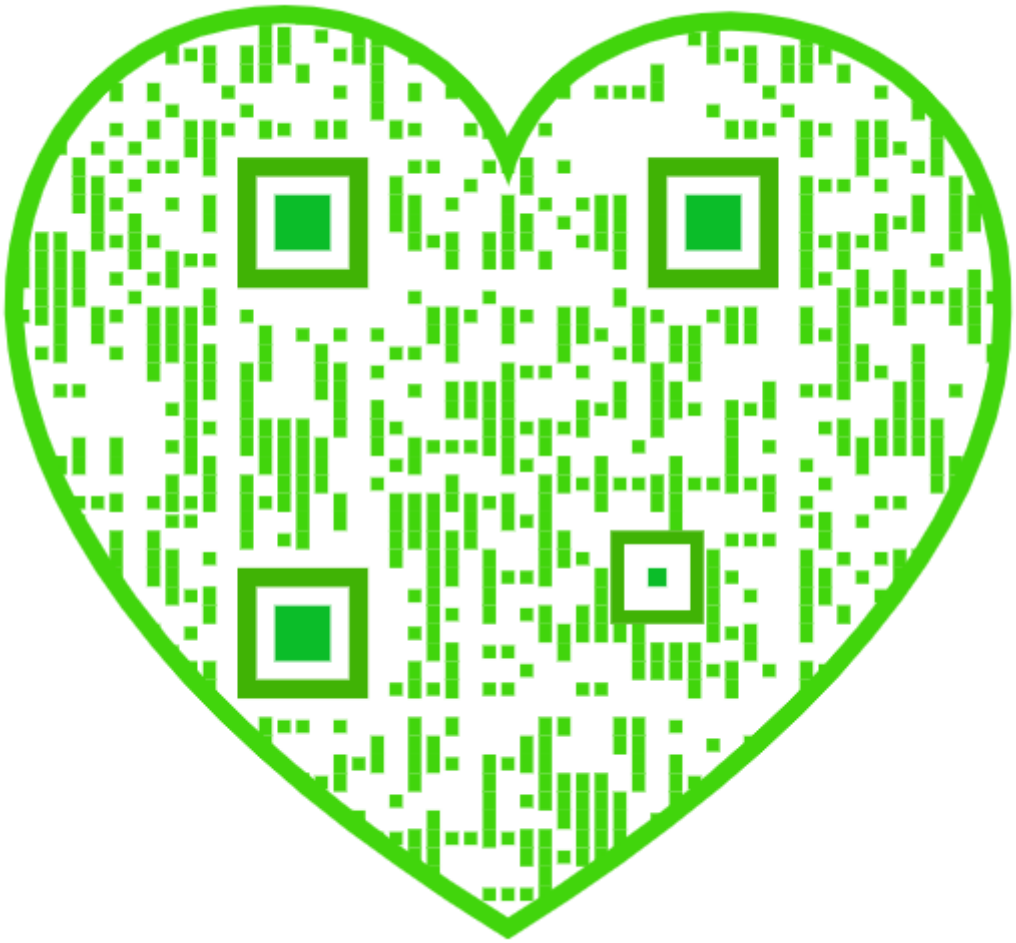

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FROM THE EDITOR

In this issue, *American Journalism* begins a series of essays on mass communication historiography. It is projected as a seven-year project covering the most important subjects that historians have addressed. William Huntzicker inaugurates the series with an essay on the frontier press. *American Journalism* will publish three essays each year. When the series is completed, we believe it will comprise one of the most valuable research projects ever done on mass communication history.

Scholars interested in contributing essays to the series are invited to submit proposals to the editor. Proposals should briefly describe the topic and indicate the scope of the study and the author's credentials for doing the essay. Typical topics are the penny press, Civil War journalism, the press and government, women and the press, the black press, Gilded Age journalism and other major periods or subjects.

Little work has been done previously on mass communication historiography, and most of that has been cursory. Analysis of historians' approaches and of the schools of historical interpretations has been accepted as an important tool in the study of most areas of history. In mass communication history, historiography has barely been touched. Historiography, defined in this series as the study of historical work, is vital if mass communication historians are seriously interested in history as a discipline. It enables historians to understand the underlying concepts which other historians have applied to their narratives and explanations of past events. Without such understanding, historians may find that conflicting explanations often seem to be little more than confusing, or they may assume simplistically that one historian has the "facts" right, while another simply has been misled. We may also, as our discipline already has demonstrated, allow historians' opinions to become accepted as objective truth if we do not understand that their accounts of history have been influenced by their concepts about or approaches to the media of the past. Their views become entrenched in historical thinking and lead to the conclusion that historical study explains how things were rather than how historians think they were. In the long run, a failure to understand historiography results in our view of the past being fixed. At its worst, it leads to the stagnation of the study of history.

This series is intended to analyze the schools of interpretation through which mass communication history has passed. It also will provide insightful overviews of the study that has been done on the major topics in mass communication history. We believe it will provide a stimulus of immeasurable value to our field.

The Honolulu *Star-Bulletin* and the "Day of Infamy"

By Alf Pratte

At dawn, the first of 353 Japanese warplanes took off from their carrier bases in the Pacific Ocean 200 miles north of Oahu. At 7:55 a.m. they caught their target, Pearl Harbor, and the surrounding area still sleepy. Only Sunday church services on some of the American battleships, lying quietly at anchor, broke the morning drowsiness of December 7, 1941. The Japanese pilots, thoroughly briefed on the location of ships in the harbor and the airbases on the islands, struck at each. Surprise was complete. Few American airplanes ever got into the air. In less than two hours, the attackers sank or damaged eighteen ships and destroyed 188 planes. They left 2,403 dead and hundreds wounded. Confusion reigned in Honolulu. Like the military, the city's newspapers found themselves reeling from the attack and attempted to respond as quickly as possible.

How one newspaper, the Honolulu *Star-Bulletin*, responded provides one of the more dramatic illustrations in American history of the press' performance in a major, fast-breaking crisis. Although overlooked in most journalism histories[1] the Honolulu *Star-Bulletin* was the first newspaper in the world to publish details of what President Franklin D. Roosevelt the next day called a "Day of Infamy." Faced with a crisis of expansive proportions with events moving at a frenzied pace, the newspaper had to gather facts about a surprise military attack and rapidly disseminate raw information throughout an island community, while at the same time it also contributed as a cooperative source in getting facts sent to the mainland United States. Its ability to perform those tasks was complicated by the military exigencies of the situation.

The success of the coverage of the attack may be attributed in great part to the skill, commitment, and journalistic ability of a single individual -- editor Riley Harris Allen. With the exception of three years, from 1918-1921, he served as

[1]As an example of this omission, the 1984 edition of Edwin and Michael Emery's *The Press and America* uses a picture of the Monday, Dec. 8, issue of the San Francisco *Chronicle*, located more than 2,000 miles from Honolulu, to illustrate the start of World War II at Pearl Harbor.

ALF PRATTE (Ph.D., Hawaii) is an associate professor of jounalism at Brigham Young University.

editor of the *Star-Bulletin* from 1912-1960. Although rarely mentioned by historians, Allen and the newspaper reacted and maintained high standards of journalism and of service to their community on a remote island territory.

Their performance on the day of the Pearl Harbor attack and in the months that followed demonstrated those standards. But an account of their efforts does more than describe how a good editor and his newspaper performed. It provides a picture of the fragile task that many newspapers during World War II had in combining concern for serving their communities, their country, and military operations with their ideals of professional journalism.

Born in Colorado City, Texas, April 30, 1884, Allen moved to Kentucky with his mother and two sisters after the death of his father.[2] The family later moved to Seattle, Washington, where Allen attended the University of Washington.[3] He later transferred to the University of Chicago and while there worked as a campus reporter for the Chicago *Daily News*.[4] Following his graduation, Allen was hired by the Seattle *Post-Intelligencer* owned by U.S. Senator John Wilson and worked as a feature writer and fill-in writer. Lured to Hawaii in 1905 by a notice on the bulletin board of the Seattle paper, Allen worked briefly for the Honolulu *Evening Bulletin* before returning to Washington to be closer to his family. The attraction of the islands and the challenge of frontier journalism were too great for Allen, however, and he returned to the islands with his wife in 1910 -- this time for good. On July 1, 1912, he was named editor of the newly created Honolulu *Star-Bulletin*, which had been formed out of a merger of the *Evening Bulletin*, which traced its roots to 1882, and the *Hawaiian Star* founded in 1893. As a theme for his island audience of 4,262 as well as for himself and his staff, in his first editorial Allen stated:

> The ideals of the newspaper are aggressive, accurate, thorough newsgathering and news publishing, service to the readers of the broadest possible scope and fidelity to the welfare of the territory. It aims to give the news, to give it first, to give it accurately and impartially, and to use its best and sincere endeavors to promote the progress of Progressive Hawaii.

[2]Interview, Riley H. Allen, Honolulu, Dec. 15, 1965. The author also interviewed Mrs. Winifred McCombs, secretary to Allen, for material in this article, Jan. 16, 1967. The author conducted more than a dozen personal interviews with Allen between September 1964 and his death in October 1966. See also Pratte, "A History of the Honolulu *Star-Bulletin* and its Antecedents, 1820-1966," unpublished master's thesis, Brigham Young University, 1967, chapter 7; and "Everything is Under Control," *Quill* (December 1966), pp. 12-15.

[3]One obituary claims Allen wrote the lyrics to the "Alma Mater" Washington students sing today.

[4]U.S. Senator Hiram Fong, Tribute to Riley Allen in U.S. Congress, Congressional Record, April 30, 1965. The Congressional Record is in error when it reports Allen worked for the Chicago *Daily Mirror*.

One of Allen's habits which helped him keep ahead of his morning competition, the Honolulu *Advertiser*, was to work at the office seven days a week. It was a habit he maintained almost continually during his tenure at the paper interrupted only when he took a three-year leave of absence to work for the Red Cross in relocating children in Siberia.[5] Thus it was that, after almost thirty years of service as editor, Allen was at his desk at the *Star-Bulletin* at 7:30 a.m. on December 7, 1941, to meet with a new secretary and to write letters as well as editorials for the next day's paper when the first wave of 183 torpedo planes, dive bombers, and bombers criginating from Japanese aircraft carriers north of Oahu, flew down the Windward coast and over the Koolau range to launch their attack on Pearl Harbor. Although not a typical procedure for all journalists, Allen's practice was to cover his island community at all times either on a beat outside of his downtown office on Merchant Street or by use of the telephone from his office. That is where he was when the switchboard began to light up shortly before 8 a.m.

"Are you sure?" Allen shouted over the phone at circulation manager Joseph Gomes as a means of verifying the startling news. Gomes, who had been at Pearl Harbor distributing newspapers, had made a hurried call to Allen when he saw the first wave of planes.[6] He said that indeed he was sure that the planes meant an attack by the Japanese. He had seen the rising sun insignia of the planes, as well as bombs dropping. Oahu was not in the midst of naval maneuvers, Gomes assured Allen.

The journalist's desire for certainty about what was taking place at Pearl Harbor was also exhibited in the account of KGMB radio announcer Webley Edwards in Honolulu. KGMB waited nearly forty minutes before Edwards reported at 8:40 a.m. that enemy planes had been shot down.[7] Before that, Edwards had interrupted his Sunday morning music program at 8:04, 8:15, and 8:30 with announcements for military personnel, doctors, nurses, and defense workers to report for military duty at bases throughout the island of Oahu. In between, however, Edwards played such music as the popular melody "Three Little Fishes" which helped contribute to the impression that the attack was only part of the military maneuvers that had become a matter of routine for Oahu residents.[8] Following a phone call from one of the station's board of directors inquiring about the maneuvers, Edwards shouted, "Hell no, this is the real McCoy."

The *Christian Science Monitor*'s war correspondent, Joseph C. Harsch, likewise had doubts about what was happening that Sunday. He later recalled:

> I awoke my wife and asked her if she wanted to know what

[5]An account of Allen's experience in Siberia can be seen in Floyd Miller, *Wild Children of the Urals* (New York, 1965).

[6]Interview, Riley Allen, Honolulu, Dec. 15, 1965.

[7]Interviews, Webley Edwards, August 1969.

[8]Walter Lord, *Day of Infamy* (New York, 1957), pp. 160-163.

> an air raid sounded like in Europe. This, I remarked, is a good imitation. We then proceeded to the beach for our morning swim, assuming with everyone else in the hotel that it was just another practice maneuver by the Navy. Only when the radio began telling people what had happened could one grasp the incredible fact.[9]

In addition to helping contribute to the major front page story and an editorial, "Hawaii meets the crisis," Allen was on the phone with his managing editor, Vern Hinckley, mobilizing the news editorial staff and backshop. Motivated in part by a great sense of urgency to warn their fellow islanders and other American citizens about the attack, nearly all the editorial and production staff rushed to the *Star-Bulletin* plant, where Allen supervised them.[10] According to reporter Howard Case:

> Riley worked calmly and efficiently. Under his direction every conceivable news source was tapped in a gigantic, concerted effort to extract every drop of information and rush it into type. No General could have issued orders more succinctly nor deployed his troops so effectively.[11]

One of the reporters deployed by Allen that morning was Lawrence Nakatsuka, an American of Japanese descent. Shortly before 10 a.m. Nakatsuka was assigned to get some comments from the other side: officers from the Japanese consulate, located about two miles from the *Star-Bulletin* in downtown Honolulu.

Consul General Nagao Kita denied to Nakatsuka that Japanese planes were attacking the islands. When Nakatsuka insisted the planes were Japanese, Kita shut the door in his face. Frustrated, he returned to the *Star-Bulletin*, but not to face his superiors. Instead he got a copy of the first edition and returned to show it to the Japanese Consulate General Officers.[12] Among other things, the 1st Extra shouted in 72-point advertising type:

WAR! OAHU BOMBED BY JAPANESE PLANES
SIX KNOWN DEAD, 21 INJURED, AT EMERGENCY HOSPITAL.

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[9]Louis L. Snyder and Richard Morris, eds., *A Treasury of Great Reporting* (New York, 1962), p. 589.

[10]The author conducted interviews with Urban Allen, Amos Chun, and MayDay Low, who were among the reporters coming to the *Star-Bulletin* office Dec. 7, 1941.

[11]Howard D. Case, unpublished biography of Riley Allen, Hawaii Newspaper Agency file on Allen.

[12]Interview, Larry Nakatsuka, March 14, 1980. Nakatsuka is also the author of *Hawaii's Own: Picture Story of the 442nd Regiment, 100th Batallion and Interpreters* (Honolulu, 1946).

Attack Made on Island's Defense System; Hundreds See City Bombed; Schools Closed; Names of Dead and Injured.

Despite the fact that the city was in uproar, the *Star-Bulletin* was able to carry four local stories and one wire service story reporting at an early stage vital information as well as a front page editorial, "Hawaii Meets the Crisis." A bulletin at the bottom of the first page of the 1st Extra promised "Additional Star-Bulletin extras today will cover the latest developments in this war move." If such a front page were not adequate evidence for the Consul, Nakatsuka thought it might be at least a conversation piece.[13] Hawaii historian Gwenfread Allen concludes that the Consul, finally convinced by the journalist of the attack, gave his last interview in Hawaii just before guards were posted, warning residents of Japanese-American ancestry to be "calm and law-abiding."[14]

Along with Nakatsuka, the staff was so effective in responding to the crisis both in and out of the newsroom that when *Star-Bulletin* publisher Joseph Farrington, a former reporter, editor, and correspondent in Washington, phoned from his home in Alewa Heights overlooking Pearl Harbor, to enquire if help was needed Allen quickly informed him, "Everything is under control."[15] Such a comment not only indicated Allen's confidence in himself and his staff in time of crisis but his desire to maintain editorial independence from his superior.

In addition to receiving the eyewitness accounts and verifying them from various sources, Allen made use of photography to confirm what terrified residents were seeing for themselves all around Oahu. Among the journalists showing up in the newsroom within thirty minutes of the attack was Amos Chun. An American of Chinese ancestry, Chun was assigned to the Liliha area, where a home had been bombed. Everyone was "all excited up that busy day," Chun later recalled.[16] He narrowly escaped being hit by a bomb as he drove his car along Kalihi Street. He saw a man killed two cars in front of him when his car was struck by a bomb or antiaircraft shells fired by U.S. forces at the Japanese planes. Although prohibited by the military from taking photographs of Pearl Harbor, Chun and another *Star-Bulletin* reporter snapped enough photos of other bombs and shell-pocked Oahu locations and of residents to fill much of the next day's paper. In all there were about forty explosions in Honolulu. All but one were the result of U.S. antiaircraft fire. But on December 7, pictures of the one-sided battle did not appear in the *Star-Bulletin*.

Often overlooked but of vital importance in crisis reporting is the backup organization of media institutions. In 1941 this operation included typesetter,

[13]Lord, p. 171.

[14]Gwenfread Allen, *Hawaii's War Years, 1941-1945* (Honolulu, 1949), p. 37. The author interviewed Mrs. Allen in Honolulu for material for this article and others. In addition to her job as a historian, she was a *Star-Bulletin* reporter.

[15]Pearl Harbor folder, J.P. Farrington file, Hawaii State Archives.

[16]Interview, Amos Chun, March 3, 1966.

printers, and pressmen. Working under tremendous handicaps in Honolulu December 7 were Ben Stears, the mechanical superintendent of the *Star-Bulletin*, and Arthur Hendrickson, a senior pressmen.[17] It was Hendrickson who reminded Allen that the *Star-Bulletin* press was partially dismantled and in the process of being repaired during the attack. The *Star-Bulletin*'s competitor, the morning *Honolulu Advertiser*, was having similar problems as its press had broken down the night before after running off 2,000 copies. Unlike the *Advertiser*, which did not get its press operating until the following Tuesday -- two days after the attack -- the *Star-Bulletin* was able to restore its press operations through the extraordinary efforts of Hendrickson and his crew. In fact, the demand for copies of the three editions of the *Star-Bulletin* was so great that Hendrickson cast two stereotype plates each time a plate was formed, so that it was possible to run off two decks of the Hoe press in combination, thus doubling production. By the end of the day, the old Hoe press had printed more than 126,000 newspapers, the most ever printed in Hawaii to that time. Previous circulation had averaged about 40,000 daily.

Newsboys were also caught up in the excitement of the attack, and they rallied to the *Star-Bulletin* that morning after the Japanese planes were identified. Less than two hours after the first wave of planes swept in, and before the attack was over, circulation managers and seventy-five newsboys were on the streets with the first of three "extras" published by the *Star-Bulletin*. Despite the obvious danger and warnings from supervisors, some of the young newsboys recklessly rode their bicycles out in the direction of Pearl Harbor, where they were able to weave through the congested traffic. They were so active that one Marine officer phoned the *Star-Bulletin* to see if the paper could not keep the boys from trying to make sales at the gates of Pearl Harbor even as the Japanese planes made their last sweep.[19] One circulation manager reported that one man had handed him $15 to purchase an entire bundle of papers. As publisher Farrington was to remark later, "Honolulu needed newspapers that morning as desperately as famished people need food."[20]

Despite the community's desperate need for news and information, the *Star-Bulletin* refused to utilize all the information editors had received from a circulation manager who was delivering newspapers in the Pearl Harbor area during the attack. In a 1964 interview, Allen said he had declined to use information on ships that had been bombed and the extent of damages, "perhaps from an intuitive knowledge that he would be giving information that would be of possible aid and comfort to the enemy."[21] Such an outlook suggests as much about Al-

[17]Interview, Amos Chun, March 3, 1966.

[18]*Ibid.* [19]*Ibid.*

[20]Farrington file. Information taken from memos and letters was confirmed during interviews and taped oral history with Mrs. Joseph P. (Elizabeth) Farrington, 1965-1968.

[21]Jim Richstad, "The Press Under Martial Law: The Hawaiian Experience," *Journalism Monographs*, 17 (November 1970), pp. 4-5.

len's patriotism as it does about his approach to newsgathering, detachment, and neutrality. The official announcement of American losses of nearly 2,500 military personnel and civilians was not made for many months.

The *Star-Bulletin* also used restraint in its use of language that might promulgate rumors or cause harm or embarrassment to Hawaii's large population of Japanese-Americans. From the very first day of attack when the banner headlines said WAR! OAHU BOMBED BY JAPANESE PLANES, the *Star-Bulletin* refused to use the word "Jap" even though it would have been easier for reporter and headline writers. Farrington later wrote:

> I made the word "Jap" kapu [forbidden] as a matter of policy, and in announcing that policy we were not going to fight a race war in the *Star-Bulletin*. It would have been dastardly in view of the fact that one-third of our population is Japanese.[22]

In addition to exhibiting sensitivity to the use of words such as "Jap" and "military governor," which Farrington and Allen discouraged because they believed such terminology would become "ingrained in the community's thinking," they carefully monitored other headlines and news writing they believed would harm morale of the multi-racial island citizens. Allen and his staff refused to publish many unfounded rumors that spread throughout Oahu and the rest of the Hawaiian islands immediately after the attack. Although Allen and his staff were forced to rely primarily on the local police and first-hand accounts, a study of the three editions of the *Star-Bulletin* published December 7 reveals few of the many rumors spread around Oahu.

In contrast, the *Star-Bulletin*'s major opposition, the Honolulu *Advertiser*, in its December 8 issue published under banner headlines stories of an impending invasion and several unconfirmed reports about sabotage, parachute landing, and similar events. Such reports brought about a meeting between *Advertiser* editors and military officials, who informed the newspaper editors they would close it if reporters did not first check with the military about information and rumors.[23]

Notwithstanding the self restraint of Allen and the *Star-Bulletin*, his newspaper and all other media in Hawaii were placed under military control December 7. Shortly after the distribution of the first extra at 9:30 a.m., Allen received a call from the office of Governor Joseph B. Poindexter, who told him that Hawaii had been placed under martial law. That development had various consequences for the *Star-Bulletin*. The most immediate, since the order included a blackout, was that it would be unable to produce a fourth extra edition that evening that Farrington said the residents desperately needed. Military officials, on the other

[22]Farrington file.

[23]Richstad, pp. 4-5. Additional information on Hawaii's military rule experience can be seen in J. Garner Anthony, *Hawaii Under Army Rule* (Palo Alto, 1957). The author also interviewd former *Star-Bulletin* reporter William Norwood, who served as military censor.

hand, argued that the Japanese would make another attack.[24]

The martial law -- providing for harsh and perhaps unnecessary regulations governing blackouts, the rationing of food and gasoline, the use of schools for emergency evacuation centers, supeceding of civilian courts by military tribunals, and censorship of phone calls, letters, and newspapers -- continued throughout the war. Both the Army and Navy supervised censorship over Hawaii newspapers until February 1942. Then censorship came under the Office of Censorship until April 1945.

Even after the Day of Infamy crisis, Allen and his newspaper continued to report the background and possible reasons for the Pearl Harbor attack and to suggest action, which, if taken, might have prevented the deaths of hundreds of military killed in the surprise attack. An example can be seen in the *Star-Bulletin*'s investigation into the sinking of the *Cynthia Olsen* in late 1946 and again in 1966. According to Allen's accounts in the newspaper and in a more formal scholarly paper,[25] the *Olsen*, a small lumber boat on its way to Hawaii from Seattle, had been sunk by a Japanese submarine before the attack on Pearl Harbor had started. Had the distress message sent by the *Olsen* been used to alert military personnel, hundreds of lives might have been saved.[26] The *Star-Bulletin* provided news coverage and editorial discussion of the Pearl Harbor inquiry and supported investigations into the attack. It also kept the issue in the public mind as part of an ongoing fight against suppression of news after the American victory at Midway in 1942.

Notwithstanding the fact that historians have generally overlooked it, the story of the three extras issued by Allen and his staff December 7, 1941, serves as one

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[24]The writer was present at a December 6, 1966, meeting between Army Col. Kendall J. Fielder, retired assistant chief of military intelligence for Hawaii, George Bicknell (Fielder's aide), and Mitsuo Fuchida, the naval captain who led the attack on Pearl Harbor. Fuchida said that at no time did Japan contemplate a second attack on Hawaii either by sea or air.

[25]See Allen, "The First Shots of the War in the Pacific," paper presented before the Social Science Association in Honolulu, Nov. 3, 1947; also, Stanley D. Porteus, *A Century of Social Thinking in Hawaii* (Palo Alto, 1962), pp. 210-213, and Honolulu *Star-Bulletin* five-part series "Prelude to Pearl Harbor," Dec. 4-8, 1966.

[26]Naval war historian Samuel Eliot Morison, in an interview Oct. 15, 1966, agreed that lives would have been saved with the warning because antiaircraft guns would have been in a better position to respond and more American planes would have been in the air instead of sitting on the ground like sitting ducks. See "Historian is 'full steam ahead' on next work," Honolulu *Star-Bulletin*, Oct. 19, 1966, p. C-8. 28. Other historians have disputed Allen's thesis, arguing that the only advantage of the short warning from the *Olsen* would have been to have ships get up enough steam to begin moving out of their berths at Pearl Harbor. The short time in getting underway would have resulted in the ships being sunk in the narrow Pearl Harbor channel or at open sea where they could not be recovered or repaired as they were after the Pearl Harbor attack.

of the more dramatic instances of crisis reporting and professionalism in American print history. Allen demonstrated strong leadership in his mobilization and management of the news staff, verification of facts, quick writing, photography, newspaper distribution, voluntary restraint, and follow-up. He was able to combine what he considered the obligations of professional journalism with service to the pressing needs of community and country.

The Shaping of a Southern Opinion Leader: Ralph McGill and Freedom of Information

By Leonard Ray Teel

Allied troops were closing in on Germany and Japan in January 1945 when two newspaper editors and the dean of the Columbia School of Journalism boarded a U.S. military plane in New York and took off on an urgent round-the-world mission. Their 43,000-mile itinerary included Britain, the liberated nations of Europe, the British Middle East and India, Stalin's Russia, and Chiang Kai-shek's China. Their mission was to determine from editors and government leaders the extent of support for international freedom of the press after the war, and to promote the Western view that freedom of the press could prevent dictatorships and war. The mission was an effort to establish a Western-style global information order for the postwar world.

The three emissaries in 1945 undertook the mission on behalf of the American Society of Newspaper Editors (ASNE), assisted by the U.S. State Department and the U.S. Army. Looking ahead to the postwar era, the American editors and their publishers were intent on securing a free flow of news across national boundaries and hoped to institutionalize press freedom by agreement among all nations. When the mission was initiated, the Roosevelt Administration was already hosting the negotiations for a new world governmental organization, the United Nations, whose charter would guarantee human rights, possibly including a guarantee of freedom of the press. When the ASNE board of directors created its Committee on World Press Freedom and approved the round-the-world mission, they had two purposes in mind: first, to sound out the opinions of editors and government leaders abroad as to whether a free press would be workable in their countries, and second, to proselytize for press freedom.

The three men appointed by publisher John S. Knight, the ASNE president, had different backgrounds, concerns, and temperaments. But all were united in their concern for the global role of the news media in the postwar era. Named to head the delegation was the ASNE first vice president, Wilbur Forrest, assistant editor of the New York *Herald Tribune*. The senior journalist of the three, Forrest had reported for the *Tribune* from the trenches of the First World War and, in

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1927, had scooped the world press when Charles Lindbergh landed in France. Since 1931 he had become an executive manager of the *Tribune*, as the trusted right-hand man and confidante of the newspaper's owner, Ogden Reid. On the world mission in 1945, Forrest, nearing retirement, was concerned with how postwar institutions would affect the *Herald Tribune*'s extensive international news operation.[1]

A second New Yorker in the delegation was Carl W. Ackerman, who had been a foreign correspondent for the *Tribune*, the New York *Times*, and other newspapers. Since 1935, however, he had been dean of the Columbia School of Journalism and an articulate advocate of international press freedom. In 1943, in the midst of the war, Ackerman founded Columbia's post-graduate School of Journalism in China, at the University of Chungking. There, he believed, the United States was proving his premise that there was a direct "relation of news to global peace."[2] The ASNE mission in 1945 gave the dean, then fifty-five, an opportunity to monitor the efficacy of New York-style journalism instruction in the Orient.

The least prominent of the three delegates was Ralph Emerson McGill, editor of the Atlanta *Constitution*. At forty-two, he was the youngest of the three, a restless newcomer in the ASNE. Before and during the war, he had become an articulate defender of freedom and a free press. By 1944 his aggressiveness on that issue had led Knight to name him chairman of the ASNE's Freedom of Information Committee. In that capacity, McGill created the opportunity for the world tour. During the three-month trip, he immersed himself in interviews, investigations, and the writing of his daily column, chronicling the ruins of totalitarianism and suggesting the forms of postwar politics. Partly because McGill was by far the most energetic of the three and the only practicing writer, he afterwards played the key role in drafting the delegation's final report on the state of world press freedom. Indeed, some sections were drawn directly from McGill's columns in the *Constitution*.[3]

McGill's appointment to the committee would have been unlikely a few years earlier. From 1929 until 1937, he had been the *Constitution*'s sports editor, writing with charm and style about a limited range of subjects -- athletes -- and about such athletic rivalries as the University of Georgia-Georgia Tech game. He wrote

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[1]Richard Kluger, *The Paper: The Life and Death of the New York Herald Tribune* (New York, 1986), pp. 282-3.

[2]This was the theme of Ackerman's speech at Haverford College on Jan. 12, 1943. *Register*, Carl William Ackerman Papers, Reference Department, Manuscript Division, Library of Congress (Washington, 1973), p. 53.

[3]Wilbur Forrest, Carl Ackerman, and Ralph McGill, "Full Report of ASNE Committee on Freedom of Information," *Editor and Publisher* (June 18, 1945). For example, the report's discussion of Russian diplomats in the Middle East follows precisely McGill's "Russia Isn't An Enigma," Atlanta *Constitution*, May 1, 1945, p. 6.

about the 1936 Olympics without going to Berlin, and he wrote nothing critical of Hitler's role in the games. But McGill was seeking to extend his range to serious subjects.

In the mid-1930s he broke out of the seasonal cycle of sports long enough to write about the economics of Southern agriculture and the problems of farmers, particularly tenant farmers. A turning point in his career occurred in 1937 when those stories won him a fellowship from the Rosenwald Fund. Established in 1911 by the merchant-philanthropist Julius Rosenwald, the Fund awarded fellowships to scholars whose research might advance the shift of tenant farmers toward land ownership. To McGill, it was "one of the luckiest things and the most valuable" that ever happened to him.[4]

Certainly his first trip to Europe was timely. With the fellowship, he traveled for six months, sending his columns by mail and extending his scope to international themes. In the spring of 1938, he witnessed the Nazi takeover of Austria and wrote about the suppression of the Austrian press evidenced by the sudden disappearance of newspapers, magazines, and independent radio broadcasting.[5]

While still in Europe, McGill was notified that on his return he would be named executive editor, in charge of the *Constitution*'s editorial page and with a daily political column. In 1942 he became its editor. That year, he waged a successful editorial campaign to defeat the favored Georgia gubernatorial candidate, former Gov. Eugene Talmadge. McGill contended that Talmadge threatened the very human rights for which the world war ostensibly was being fought and likened Talmadge to Hitler and Mussolini.[6] McGill also attacked the popular Ku Klux Klan, whose endorsement Talmadge and other hopeful politicians customarily sought. When the votes were counted, McGill's candidate, former Georgia Attorney General Ellis Arnall, won an upset victory. It was another turning point for McGill.

With that victory, the editor vaulted into the national arena as a conspicuous liberal spokesman for his state and region. Early in the campaign, Arnall had persuaded McGill to the view that the poll tax ought to be abolished because it denied the vote to whites as well as blacks, a view then considered to be radical for a Southerner.[7] The theme of protecting human freedoms, including freedom

[4]Quoted in Harold Martin, *Ralph McGill, Reporter* (New York, 1972), p. 57.

[5]Ralph McGill, "McGill in Vienna: Orgy of Adulation Accorded Hitler, the 'Buildup' of Herr Goebbels Described in Dramatic Detail by Writer," Atlanta *Constitution*, April 28, 1938, p. 9; McGill, "McGill in Vienna: Hitler Invests Salute to Viennese with Pompous Drama," Atlanta *Constitution*, April 29, 1938, p. 11; McGill, "McGill in Vienna: Vienna Transformed Into Center of Great Public Gatherings as Adolf Hiter Makes His Speech on Union," Atlanta *Constitution*, April 30, 1938, p. 5.

[6]Ralph McGill, "One Word More," Atlanta *Constitution*, Sept. 5, 1942, p. 6; interview, former Gov. Ellis Arnall, March 10, 1987.

[7]Interview, Arnall, March 10, 1987.

of the press, was to become one of McGill's recurrent topics in his column and in articles he published in the Northern press.[8]

McGill relished the national respect he gained for Atlanta, the *Constitution*, and himself. Encouraged that he was becoming a national opinion leader, he sought an active role among national editors, a role that had been denied to most Southern editors committed to segregationist policies. In 1944 Knight named him to chair the ASNE's Freedom of Information Committee. With his sense of timeliness, McGill energized that committee into an entity seeking a role in shaping the international institutions that would control events in the postwar world. After D-Day, both the Republicans and the Democrats pledged in their 1944 platforms to promote press freedom. McGill and his committee used those political avowals to prod the government into approving the mission.[9]

The three journalists regarded their mission as urgent. The U.S. government was already conducting secret negotiations at Dumbarton Oaks, laying plans for a postwar international organization to succeed the League of Nations. The establishment of such a world organization called into question whether the member nations would be willing to pledge themselves to freedom of the press as a human right to be guaranteed in a global charter. In September 1944, the official U.S. government position, articulated by outgoing Secretary of State Cordell Hull, was that international press freedom was under consideration for the charter.[10]

The ASNE delegation crusaded for the position that the Western model of the free press was essential to maintain world peace. The committee's fundamental belief was that freedom of the press and the free flow of news across borders should be advertised widely as a preventative against fascism, Nazism, and other strains of totalitarianism. In that scheme, an unrestricted and uncensored flow of news within nations and across national boundaries would serve to protect the vitality of dissent within nations and communication among nations. In so doing, world freedom of information ideally would foster democratic institutions and prevent the rise of dictators.

McGill, Ackerman, and Forrest shared this view as the premise of their mission, and they believed their findings proved the premise valid. As they noted, the suppression of press freedom, in Italy in the 1920s and in Germany in the 1930s, had facilitated the triumphs of Hitler and Mussolini. Europeans, they wrote, "constantly emphasized that the ability of political leadership to seize power and black out the minds of whole peoples must be prevented in the future if peace is to be maintained."[11] In similar language, McGill wrote that the Ger-

[8]McGill, "There Is Time Yet: Freedom of the Press," *Atlantic* (September 1944), pp. 61-62.

[9]Forrest, Ackerman, and McGill, p. 2.

[10]Margaret A. Blanchard, *Exporting the First Amendment: The Press-Government Crusade of 1945-1952* (New York, 1986), pp. 21-22.

[11]Forrest, Ackerman, and McGill, pp. 3-4.

mans and Italians told the committee "it would not have been possible so easily to lead their peoples into war had not the minds of the people been 'blacked out' for years by a controlled, censored press."[12] The committee believed the world was so weary of war that it would be inclined to adopt such radical freedom. "I think it true to say," McGill wrote in 1945, "that everywhere most newspaper men and women, especially the younger ones...yearn for a free expression of news."[13]

Enforcement of a Western-style free press, in this scheme, would become a global responsibility. The ASNE believed that the pledge to international freedom of the press ought to be included in all of the peace treaties, as well as in the charter of the proposed world organization. To that end, the ASNE board had approved this draft of a treaty clause: "A pledge of governments not to censor news at the source; not to use the press as an instrument of national policy, and to permit a free flow of news in and out of signatory countries."[14] McGill, Ackerman, and Forrest thought that the emergent power of the United States could shape and enforce a lasting peace through "a more liberal system of world communications and a freer exchange of news."[15] McGill, however, realized that such a treaty clause, while helpful, "would not be enforceable. That is, one would not send bombers if a nation, pledged to free news, began to suppress it." Yet, he reasoned, such suppression of a free press would arouse suspicion that "the nation suppressing news might be doing so to suppress possible news of some new weapon or plan of aggression."[16]

Despite the highly idealistic approach taken by the ASNE editors, was there some hidden agenda? If U.S. media executives envisioned a world without censors, where news was a free commodity marketed without constraints, was it because their first interest was economic - - not peace but profit? Certainly news suppliers would enjoy economic benefits, and the ASNE delegation was aware of its vulnerablility on this issue. In 1944 British writers for *The Economist* chided U.S. free press advocates, charging that they hoped the "huge financial resources of the American agencies might enable them to dominate the world.... Democracy does not necessarily mean making the whole world safe for the AP."[17] Forrest sought to defuse the commercial issue. A month before the three left on the trip, he told the new Secretary of State, Edward R. Stettinius Jr., that his committee "will in no way represent the American Press Associations which seek the same goal but on a commercial basis."[18] No mere disclaimers, however, would dispel the commercial label abroad, as in Russia. "Here again," the committee reported, "we met with what seemed to be a slight suspicion that we might be interested in commercial agencies."[19]

[12]Ralph McGill, "Reflections on World News Freedom Following the ASNE Tour," *Journalism Quarterly* (September 1945), p. 195.

[13]*Ibid.*

[14]Forrest, Ackerman, and McGill, p. 1.

[15]*Ibid.* p. 5.

[16]McGill, "Reflections," p. 195.

[17]Quoted in Blanchard, p. 23.

[18]Forrest, Ackerman, and McGill, p. 2.

[19]*Ibid.*, p. 21.

Arrangements for transportation and embassy support were made through Stettinius. He had been engaged in several rounds of secret talks -- the Dumbarton Oaks negotiations for what was to become the United Nations, arrangements for Three-Power end-of-the-war agreements at Yalta, and U.S. efforts for a Latin American accord including fascist Argentina. As a secret negotiator, Stettinius was not a champion of complete freedom of information. In fact, he sought to delay the committee's trip on the grounds that the timing was not right, then ultimately gave his assistance when the determined journalists on the committee indicated they would bypass him to request help from the military.[20]

On January 10, 1945, when the three took off from New York for London, McGill was poised to turn his daily column into a forum for politics, history, and diplomacy. As he trekked across the globe for three months, he mailed the columns like thoughtful letters sent home. He was always eager to tell a good story with a moral; and his timing, in the last months of the war, gave him a unique opportunity for portraying the human abyss left by the war. In line with his mission for press freedom, he delved into politics. In Europe, he reminded how demagogues like Hitler and Mussolini had rise to power in democracies -- with aid from businessmen and other reputable citizens, all using patriotic rhetoric. "Hitler and Mussolini and their financial backers," McGill warned, "also talked about 'the best interests of the nation.' "[21]

In London, the committee interviewed prominent political refugees from totalitarianism. "I recall talking with Eduard Benes [sic], president of Czechoslovakia, shortly before he left London to return to his liberated country," McGill wrote. From the lengthy statement Benes gave the committee, McGill noted what seemed the most important message. "A free press," said Benes, "is the best friend a small country can have.... There must be healthy opposition. Newspapers help supply it when they are free." On a global scale, Benes told them he believed that a free press enables a small country to get its views before the world. "I hope when peace comes," he implored the committee, "that the small nations will not be neglected by the news agencies and by newspapers which maintain foreign staffs. It is important that our voices be heard."[22] The Americans reported Benes's account of how the Czechs were "flooded and drowned out by the German claims in the appeasement."[23] Benes later wrote to Forrest that "during the Munich crisis the sympathy which we enjoyed in the free world despite the overwhelming mass of German propanganda was due only to the freedom of the press."24

The three Americans accumulated such testimony to prove the global need for a free press in ensuring a free society. McGill gathered his own evidence to reaffirm the Jeffersonian platitude that it was better to have newspapers without a government than to have a government without newspapers. After interviewing

[20]Blanchard, pp. 22-24. [21]McGill, "Reflections," p. 193.
[22]*Ibid.* [23]Forrest, Ackerman, and McGill, p. 3.
[24]Eduard Benes to Wilbur Forrest, Jan. 23, 1945, in *ibid.*, p. 6.

Europeans, McGill and his colleagues concluded that, "Had not Fascist and Nazi forces in Italy and Germany seized and dominated the press and all communications facilities at the start, the growth of these poisonous dictatorships might well have been prevented and the indoctrination of national thought in the direction of hatred and mistrust might have been impossible."[25]

While in London they also found evidence to support Winston Churchill's World War I axiom that "war kills liberalism." During the bitter early years of the war, British publishers were persuaded to cooperate with strict wartime censorship. By early 1945, controls were being relaxed. The three inquiring Americans got a warm reception from British publishers and press societies, whose directors predicted that their own voluntary wartime censorship ought to be unnecessary soon. Eager for expansion into the postwar world media market, the British naturally supported global news flow.[26]

During the next weeks, the committee traveled to France, Italy, and Greece. There McGill heard first-hand stories of how the Nazis and fascists had destroyed the free press and, with it, opposition views. In Paris, officials of the U.S. Office of War Information advised them that "the new French press was eager not to return to the old corrupt system of before the war" and that the new government had pledged cooperation "in keeping the press free."[27] The Americans soon were guests of French editors, who gave assurances that the French press would no longer submit to government control, or speak as a voice of the government. The Americans concluded that "[the new French press] is the heir of the underground press which was freely established in the resistance movements."[28]

In Rome, however, the committee found a national press still numb from suppression. General subservience to Mussolini for more than twenty years had given newspaper editors the appearance of "persons coming out of an anaesthetic.... They had taken orders so long they didn't know how to use freedom from orders."[29] McGill wrote that Italy now had a new set of ruins that "still ask a question of the future. Will we be able to rid ourselves of the German sickness?"[30]

The committee arrived in Greece on February 8 and soon began hearing about the horrors of the Nazi occupation. While Dean Ackerman was confined to bed with an ear infection, McGill and Forrest met with editors who had survived the Nazis. Far more spirited than the Italian editors, they wanted international mechanisms to support a free press. As the Americans later reported, "The Greeks explained that they, and other small nations, would be stronger in their use of a free press if the larger nations would join with them in providing some sort of council to hear complaints."[31] McGill heard how Nazi totalitarian institutions had subdued decent citizens proud of their democratic traditions. When intimidat-

[25]Forrest, Ackerman, and McGill, p. 3.

[26]*Ibid.*, p. 9. [27]*Ibid.*, p. 10. [28]*Ibid.*, p. 12. [29]*Ibid.*, p. 14.

[30]Ralph McGill, "Roman Ruins Pose Question for Future," Atlanta *Constitution*, March 5, 1945, p. 6.

[31]Forrest, Ackerman, and McGill, pp. 15-16.

ed by systematic terror, he explained, "Their minds, of course, protest. But they do nothing."[32]

In Athens, and later in Cairo and Ankara, the committee learned that the newest obstacle to establishing a free press was the fear of Communist subversion through propaganda. The Greeks were in the beginning of a civil war with a small but well organized Communist party supplied with arms through Yugoslavia. "When liberation came," McGill explained in his daily column, "the Communists came up out of the underground with the only efficient organization....That is why, in many of the liberated countries, we heard so much about Communist activities."[33]

In Egypt and then in Turkey, government officials cited this fear of Communist subversion as the reason for not permitting a free press which could be subverted. In Cairo, the committee sensed no commitment to a free press. On the contrary, the Egyptians seemed to dread the proposal. King Farouk's French-educated prime minister, Dr. Ahmed Pasha, told the Americans their mission was "idealistic but impossible." A free flow of information, he said, would not permit the government to suppress propaganda, which infiltrated in "every way," particularly from the Communists.[34] The next day, King Farouk blamed censorship on the British and announced himself "entirely" in favor of a free press and a free flow of news.[35] In any case, the Arab editors were otherwise preoccupied with the Jewish Free Palestine movement and with trying to gain the Americans' condemnation of it. The committee ducked the Jewish issue, noting, "We declined on the ground that editors cannot be advocates and must be objective."[36]

The various justifications for controlling the press did not persuade McGill. Rather than modify his Western ideals, he discounted the excuses, such as fear of Soviet propaganda. As he later explained, the committee's solution for the Egyptians was a Western democratic concept somewhat alien to their culture: "Let your papers discuss it fully. It it isn't true, the people will know it. If it is true in any sense it would force your government to bring about needed reforms." In response, McGill said, the Egyptian rulers just "shook their heads."[37] He concluded that "Fear of Soviet propaganda leads some nations to queer lengths." In Turkey, for example, the government, in line with its wartime neutrality, had closed both anti-Russian and pro-Russian newspapers.[38] Despite Turkey's late entry into the war on the Allied side, the committee sensed that censorship would continue and concluded, "Governments, once they have a taste of censorship, like the idea."[39]

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[32]Ralph McGill, "German Sickness A Terrible Disease," Atlanta *Constitution*, March 29, 1945, p. 8.

[33]Ralph McGill, "You Don't Destroy People Like the Greeks," Atlanta *Constitution*, March 8, 1945, p. 8.

[34]Forrest, Ackerman, and McGill, p. 16. [35]*Ibid.*, p. 17. [36]*Ibid.*

[37]McGill, "Reflections," p. 194. [38]*Ibid.*

[39]Forrest, Ackerman, and McGill, p. 18.

McGill got further evidence of Turkish censorship from a young journalist in Istanbul. When the two met, McGill encouraged him to send dispatches to U.S. newspapers. The next day, the young man replied in a letter, "Please don't mention this letter to my boss Paul Foley. I was scolded enough yesterday for my questions to you....And you talk of freedom of press!"[40]

The management of news and information -- a technique essential to totalitarians -- seemed to be taking root in varying forms in the Middle East. In concluding that Turkey was *not* an "eager exponent of a free press," the committee noted the manner in which the government filtered and obstructed news flow through the Agence Anatole -- "a theoretically independent, but actually government-controlled agency."[41]

In 1945 the Soviets were perfecting news management through their own international news agency, Tass. In Cairo, while waiting for special visas for entering Russia, McGill encountered the Egyptian correspondent for Tass when they both arrived early for a social reception. As McGill told his readers, this affable, sturdy, and intelligent Russian, Nikolai Kossolowsky, did not fit the Western model for a journalist. McGill noted that Egypt had been Kossolosky's life study. As "an Egyptologist, one of the best in Russia," the Tass agent outclassed any American diplomat assigned to the region, and McGill worried that Washington underestimated the stakes in the Middle East. He was further impressed because Kossolowsky spoke fluent English and seemed trained for diplomacy and intrigue. "I can imagine," McGill wrote, "what excellent and thorough reports go back to Moscow in the Moscow pouch."[42]

McGill was soon to have his own personal encounter with Soviet propaganda, an adventure in Moscow. So effective was the Russian "line" that for two years, until 1947, McGill toned down his normally hostile rhetoric against totalitarianism when he was writing about Soviet Russia. The trek to Moscow had not been officially on the itinerary, but was an option depending on whether the visas for Russia were secured by Secretary of State Stettinius, while he was at Yalta. Flying by Army transport, the Americans reached Moscow via Iran and Stalingrad. After being briefed by U.S. Ambassador Averill Harriman, they began their rounds with Soviet officials.

As often as not, the Americans found themselves on the defensive, explaining U.S. press practices. Here, as in the Middle East, they were questioned about how they could allow their own newspapers to print negative -- and even false -- criticism of their own government and of their own allies. The committee later

[40]Zubeyda Shaply-Shamyl to Ralph McGill, Feb. 22, 1945, Ralph McGill Papers, Box 3/Folder 2, Special Collections, Woodruff Library, Emory University, Atlanta, Georgia.

[41]Forrest, Ackerman, and McGill, p. 18.

[42]Ralph McGill, "Russia Really Isn't An Enigma," Atlanta *Constitution*, May 1, 1945, p. 6:4-5. McGill got the Russian's name wrong, and in the committee's report (p. 17) referred to him as Dr. Michail Korostovtsev.

acknowledged the gulf between the two systems of news flow. "It was difficult for an American," they wrote, "to keep in mind, or to rationalize the fact, that the Soviet newspapers are not merely owned by the government, they are an integral part of it."[43]

In spite of their suspicions and erudition, McGill and his colleagues were hopeful enough to be persuaded that the Soviets meant to allow a freer press after the war. After the trip, the committee gave widespread credibility to the Russian propaganda that "a more liberal press policy is in the making in Russia."[44]

Another miscalculation in Moscow influenced McGill's editorial stance on the prospects of politics in postwar Russia. He had a great respect for the Russian people who had survived ghastly suffering, and he presumed they ultimately would demand human freedoms and that they would prevail on their government. Seeking the true Russian character, McGill went out on the streets to talk to Moscovites. Based on what today would be deemed an inadequate sampling of public opinion -- not to mention a naive understanding of Stalinism -- he concluded that the subservient people spoke with a powerful voice, distinct from the Marxist rhetoric of the government. The Russian people, he wrote, "are not so much Marxists as they are Russians, with the temperaments and reactions developed, as have been our own and those of any other peoples, by events and by their economy and history." By nature, he reasoned, the long-suffering Russian people would be receptive to a world declaration of freedoms that guaranteed no more wars, together with a proviso for freedom of information.[45]

McGill's emotional friendship for the necessary wartime ally thus compromised his perspective on Russian geopolitics. He had buried his own pre-war anti-Stalinist rhetoric in favor of continued cooperation in the postwar era. Days after the visit to Moscow, he told his readers that the "Soviet Union is a young nation. The ideas of its people are new. Yet there is within them an ancient tradition and century-old [sic] impulses and reaction." If the postwar world presented a new set of rules, he reasoned, perhaps the Soviets would come out of isolation and drop what he deemed to be their understandable suspicion of the West. "Russia, I am convinced, will make agreements," McGill wrote. "She will drive hard bargains. They will not be idealistic or ephemeral. They will be tough and they will be supported by good reasoning."[46]

The farther east McGill journeyed, the more tangled he became in political conundrums. His fundamental error was in using Western models to evaluate the dynamics of non-Western systems. Thus he made more miscalculations in China, which was engaged in a civil war as well as a war with Japan. In Chungking, Central Government officials assured the committee that, despite wartime censorship, China supported the resolution for a universal free press. On April 2

[43]Forrest, Ackerman, and McGill, p. 21.
[44]*Ibid.*, p. 3. [45]McGill, "Enigma," p. 6.
[46]*Ibid.*

McGill, Forrest, and Ackerman met for forty minutes with Chiang Kai-shek, who "pledged he would abolish censorship when the war ended and he would support with all his power the ASNE plan for a pledge by nations in treaties that would permit a free flow of information between nations."[47]

Ackerman admired Chiang, partly because of Chiang's cooperation with Columbia's program at the Chungking School of Journalism. As McGill told friends years later, Ackerman came away from the forty-minute meeting saying that he felt he had been in the presence of a deity. McGill was convinced that Chiang was a corrupt warlord and was astonished at Ackerman's naivete. On the spot, McGill exploded like a firecracker, saying things he later regretted. A close friend of McGill's told how "this run-in with Ackerman made him feel so unhappy that he went out and got morosely drunk on Chungking gin, which made him feel even worse."[48] For years to come, McGill believed that Ackerman, as secretary to the Pulitzer Prize Advisory Board, was responsible for delaying until 1959 his winning a Pulitzer.[49]

McGill's dislike of Chiang led him to write positively about the Chinese Communists, a stance that was at least as naive as Ackerman's reverence for Chiang. Appalled by evidence of corruption in Chiang's government, McGill went to the extreme of embracing certain of the admirable ideals he had heard in the propaganda of the Communists -- particularly the pledges of social and economic reform. In Mao Tse-Tung's promises, McGill thought he recognized some of the economic reforms he himself had championed for Southern tenant farmers in the stories that had won him a Rosenwald Fellowship. McGill had sought ways to make it easier for sharecroppers and tenant farmers to buy small farms and break their cycle of poverty. In sympathy with the poor Chinese, McGill wrote that Mao's government was

> not Marxist Communist, being almost entirely an agrarian movement. It has given the farmers land and it manages to hold to their affectations and loyalty. It rid them of the money-lenders who were, by all accounts, enough to make our loan sharks appear beneficient philanthrophists. It rid them of the sharecropper system. So, it has strength; but it is almost all agrarian strength. It is based on land ownership, not communal farming.[50]

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[47]Forrest, Ackerman, and McGill, p. 24.

[48]Martin, pp. 106-107.

[49]Harold E. Davis to Leonard Ray Teel, memorandum, Feb. 19, 1987. Davis, who was the city editor of the Atlanta *Journal* during the 1960s, said McGill told him he believed "the Ackerman disagreement slowed down the awarding of a Pulitzer Prize."

[50]Ralph McGill, "The Curtain Falls On One War Theater," Atlanta *Constitution*, May 4, 1945, p. 8.

After China, the visit to India underscored one of the committee's major deficiencies: its failure to address the ramifications of press freedom for the emergent nationalist movements in regions under the hegemony of European nations. While traveling in areas controlled by the British, the Americans presumably did not want to stir up discord, and their aloofness from the aspirations of nationalism was nowhere more apparent than in India. From China, McGill and Forrest flew to New Delhi, leaving Ackerman to attend to the renewal of Columbia's relationship at the Chungking campus.

In India, McGill and Forrest encountered the force of Mahatma Gandhi's independence movement. In the earlier wartime phase of his "Quit India" campaign, Gandhi had welcomed a Japanese invasion as an expedient means to oust the British. British censorship had been severe, and many Indian editors wanted to complain in a world forum. Although the two Americans met with Indian editors during a day-long newspaper conference, other Indian editors criticized them for not staying longer and traveling farther to hear complaints about British suppression of news. Writing in the prestigious English-language *Hindustan Times*, the president of the All-India Newspaper Editors Conference, S.A. Brelvi, said his members "wished to draw their attention to the misuse of war-time emergency powers for the suppression of inconvenient news and views and to some of the extremely ridiculous orders passed under the Defence of India rules...."[51] Thus, the brevity of the visit had created an undesirable effect.

Stung by the criticism, the U.S. General Representative in India, Ralph Block, answered for his government. He stated that the committee's impromptu Moscow trip had upset previous plans and shortened the visit.[52] Indeed, McGill was particularly eager to get home because his wife, Mary Elizabeth, was expecting their first child, whose birth was announced when the committee reached Honolulu after a brief visit to Australia.[53] On April 27, after a journey of some 43,000 miles, the three emissaries arrived in San Francisco, where the United Nations conference, attended by delegates of fifty nations, was drafting the charter for the United Nations. Back home, they quickly wrote the preliminary report, with McGill doing much of the writing. After revising, they rushed a copy to Secretary of State Stettinius at San Francisco.

As the principal U.S. negotiator at the United Nations conference, Stettinius spoke publicly in support of world press freedom, yet he failed to persuade the international delegates to provide specifically for universal press freedom and a free flow of news. That ideal soon ran into political obstacles and was left as an issue for the United Nations to debate periodically during the next four decades. Similarly, the idea of using peace treaties to guarantee press freedom also failed

[51]"American Editors' Failure to Contact A.I.N.E.C.," *Hindustan Times*, April 19, 1945, n.p.

[52]Ralph Block to S.A. Brelvi, April 19, 1945, (copy) in Ralph McGill Papers, Box 3/Folder 2, Emory University.

[53]Martin, p. 107.

to gain support.

The U.N. Charter, signed on June 26, did provide for "freedom of speech." Stettinius assured the American Society of Newspaper Editors that he and the U.S. delegation "regard freedom of speech as one of the fundamental freedoms referred to in this Charter. It is our further understanding that freedom of speech includes freedom of the press, freedom of communication and freedom of exchange of information." As soon as the United Nations charter was approved, Stettinius stated, power to implement universal press freedom would be lodged with its Economic and Social Council, and the United States "will urge that it should promptly study the means of promoting freedom of the press, freedom of communication, and fuller flow of knowledge and of information between all peoples."[54]

Although McGill, particularly, preferred to believe that "moral force" was on the side of a new, freer world order, he had just witnessed the notable *absence* of a universal commitment to the free flow of news. In terms of *realpolitik*, the transplanting of a press model pioneered in the Western democracies faced a high risk of rejection by autocratic governments and political blocs. In the final report published in June 1945, the committee concluded that only "time will tell what this mission has accomplished, " but they conceded there was no dominant universal sentiment for or against the view that "freedom of the press internationally is an important part of any enduring peace." McGill, Forrest, and Ackerman felt they had rallied support for the concept from "editors all over the world who understand this and will fight with words to accomplish it" as well as from "many statesmen from the heads of government down [who] are already convinced of it and will lend their influence to it."[55]

While understanding these limited successes, the Americans knew they had failed to win universal agreement on any aspect of press freedom. Yet, in acknowledging the opposition to a free press, they understated the negative comments, saying only that "there are others who have given it [a free press] mere lip service and will seek to avoid it." Ending on an idealistic note, Forrest, Ackerman, and McGill hoped that the idea of universal press freedom would still "grow and flourish" so that "in the end the peoples of all nations will know each other better and the problems of nations may be readily understood through a truer and freer flow of news."[56]

This cheerful outlook was unfounded and far too optimistic for insecure and unstable countries regrouping for survival in the postwar world. Within a few years, the Soviet Union would extinguish any semblance of a free press and democratic government in Eastern Europe. The coming of the Cold War led many nations to justify various degrees of control of the news media. The Soviets adopted some of the same controls of news dissemination that had been pioneered

[54]E.R. Stettinius, Jr., to Wilbur Forrest, June 16, 1946, in Ralph McGill Papers, Box 3/Folder 2, Emory University.

[55]Forrest, Ackerman, and McGill, p. 26.

[56]*Ibid.*

by the totalitarians. Years after the mission, Forrest recanted the optimism of the committee, calling its final report "merely a recitation of experiences which proved nothing except that freedom exists only by permission of a prevailing government."[57]

McGill had been the only one on the committee to write publicly about the mission as it was taking place. In time he realized that he had been misguided by what he heard from the Communists. He had embraced Mao's promises too naively and had taken the Russian "enigma" too lightly. In Moscow and Chungking, he had charged into the maze, a Southern liberal in Western ideals matching wits with the descendants of czars and khans.

In the end-of-the war chaos, he had declared himself an instant judge of Russian and Chinese character. Such is the prerogative of the daily columnist, who can change his mind another day. Indeed, in the next few years, with each Soviet transgression on American expectations, and with each surprising turn in China, McGill marched his column in retreat from the sympathies he had given in 1945. In August, 1949, he softpedaled the corruption he had underscored in Chiang's regime. "Chiang is all that has been said of him," McGill wrote, "but it must always be remembered to his credit he did double-cross the Communists and drive them back, temporarily, and he did turn to the West as his one source of aid."[58]

McGill's disillusionment with Moscow came earlier. After the Soviet Communist coup in Hungary in 1947, he lamented that the Russians "have dismayed every friend who believed them really eager to work out a plan for world peace....All those who hoped that Russia would go along in full participation in working agreements with the Western countries, now know Russia will not." With these and later disappointments, the liberal dream of preserving global peace through freedom of the press lost credibility and vanished in the feverish rhetoric of the Cold War. By 1947, a belligerent McGill even warned that "Soviet actions make it impossible not to be prepared for war."[59]

[57]Quoted in Blanchard, p. 26.

[58]Ralph McGill, "Logic -- Like Whiskey," Atlanta *Constitution*, Aug. 12, 1949, p. 12.

[59]Ralph McGill, "The Political Platypuses," Atlanta *Constitution*, June 11, 1947, p. 8.

Historiographical Essay

Historians and the American Frontier Press

By William E. Huntzicker

Historian Frederick Jackson Turner articulated the controlling theory of the American frontier at the 1893 Chicago Columbia Exposition. The son of a pioneer Wisconsin newspaper editor, he spoke at a forum on history designed to lend an air of respectability to a celebration of American technology and progress. His now classic paper, "The Significance of the Frontier in American History," provided a theoretical and social-scientific framework with which to analyze American history. In doing so, Turner gave *theory* a prominent place in the fledgling historical profession and called attention to the frontier as a neglected field for serious historical study.[1]

Even though significant frontier histories have depended upon newspapers as major sources, historians outside of journalism have written very little about frontier newspapers. Walter Prescott Webb's major history, *The Great Plains* (1931), discussed the level, treeless, and sub-humid area once described as the Great American Desert and the tools -- six shooters, barbed wire, windmills, horses, politics -- used to tame it. But newspapers rate hardly a mention. Turner's most significant defender, Ray Allen Billington, has described newspapers and magazines as a bridge between East and West: Western printers accepted subsidies from town promoters, while Eastern papers passed on reports of gold discoveries and free land. Historian Richard Bartlett said frontiersmen gathered at railroad depots to await trains bearing copies of major newspapers from the outside world. Nevertheless, Billington, Bartlett, Robert V. Hine, and others hardly mention newspapers in their studies of community on the American frontier.[2]

[1]Frederick Jackson Turner, *The Frontier in American History* (1920; Tucson, 1986), 1-38. For biographical information on Turner, see Ray Allen Billington, *Frederick Jackson Turner: Historian, Scholar, Teacher* (New York, 1973). A complete bibliography of Turner's writing compiled by Everett E. Edwards appears in Turner, *The Early Writings of Frederick Jackson Turner* (Freeport, N.Y., 1938), 233-272.

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As a result of this neglect, journalism historian William H. Lyon lamented in 1980, "We do not have any generally accepted theories about newspaper functions, as we do about railroads, mining and stockraising, and hence nothing to challenge our understanding of a primary institution on the frontier. Newspapers were so prevalent, yet we know so little about them."[3] Although studies exploring new topics, issues, and methodologies have appeared since Lyon's essay, the study of frontier journalism remains a relatively neglected field.

The following essay surveys the major studies of frontier newspapers and suggests some directions for the future. The studies fall into five categories: I, individual journalists and newspapers; II, frontier journalism as social history; III, statewide frames of reference; IV, analytical and interdisciplinary approaches; and V, themes and special interests in frontier journalism.

Operating more as journalists than as historians, the historians of the American frontier press have tended to collect facts and anecdotes and to neglect the formulation of theory. Using journalistic methods, they have been free to collect data that support the various historical schools, and they have borrowed heavily from the assumptions of their sources: the frontier newspapers and editors who often shared the belief of farmers, town builders, and railroad tycoons that they were advancing the cause of civilization by promoting settlement of the American West.

Individual Journalists and Newspapers

Histories of newspapers and biographies of editors abound, but many histories have been sponsored by newspaper promotion departments, and others have depended solely on the newspaper's own pages.[4] An entertaining book that simply reprints excerpts from one newspaper is Douglas D. Martin, *Tombstone Epitaph* (1951). Martin perpetuates the *Epitaph*'s long dominant -- but hardly disinterested -- perspective on such events as the Earp-Clanton feud and the gunfight near the OK Corral. Oscar Lewis's *The Town that Died Laughing* (1955) uses a similar approach to convey a social history of a Nevada mining town and its newspaper, *The Reese River Reveille*. Numerous books have been published by simply collecting early newspaper accounts of frontier events, including Thomas J.

[2]Ray Allen Billington, *America's Frontier Heritage* (1963; Albuquerque, 1974), 80-81, and "Words that Won the West 1830-1850," address before the Public Relations Society of America (New York, 1963); Richard A. Bartlett, *The New Country: A Social History of the American Frontier 1776-1890* (New York, 1974), 427; Robert V. Hine, *Community on the American Frontier: Separate but Not Alone* (Norman, Okla., 1980).

[3]William H. Lyon, "The Significance of Newspapers on the American Frontier," in William H. Lyon, ed., *Journalism in the West* (Manhattan, Kan., 1980), 5.

[4]Several newspaper biographies are evaluated in Lyon, 6-7. Allan Nevins criticized journalism history for its dependence upon such work in "American Journalism And Its Historical Treatment," *Journalism Quarterly*, 36 (1959): 411-422, 519.

Dimsdale's *The Vigilantes of Montana*, (1866), the first book published in that territory.

Journalism historians have generally avoided a definition of the frontier, but Jerilyn McIntyre, taking her cues from Turner, wrote that the frontier represented a period in history, a geographical region, and a stage of social development. By any of these definitions, newspapers fulfilled special needs on the frontier. For promoters, newspapers attracted settlers and symbolized the permanence of a community, even though they relied heavily on news taken from other papers. For readers, the papers relieved feelings of isolation; they often were passed around to several readers and read until they wore out.[5]

Without bothering with definitions of frontier journalism, an innovative printer, Douglas C. McMurtrie, documented the westward movement of the printing press in the United States. More interested in printing than in journalism, McMurtrie set out in the 1920s and 1930s to update Isaiah Thomas's comprehensive 1810 history of printing in the United States. Unfortunately, only the volume on the Middle and South Atlantic states was completed in what McMurtrie projected as a four-volume study. Nevertheless, he completed dozens of pamphlets and books containing "firsts," such as the first newspaper and the first printing press in each state and territory. In the process, he traced the westward paths of many individual editors and their presses.

McMurtrie's publications ranged from privately printed, limited edition pamphlets containing a few pages smaller than 3 x 5 inches to books of more than 450 pages, including at least one pamphlet on each of the contiguous forty-eight states. His most substantial study of the American West was written with his associate Albert H. Allen as *Early Printing in Colorado* (1935), which contains a 136-page history along with a listing of imprints and newspapers in early Colorado. By the time of his death in 1944, this college dropout had written hundreds of articles and books on printing history, typography, and printing techniques.[6]

During his bibliographical excavations, McMurtrie found many adventures of frontier editors. The *Weekly Arizonan*, he discovered, reported in 1859 on its editor's duel with a reader over something that had appeared in print. Shooting with Burnside rifles at forty paces in a high wind, both parties missed their marks. The men settled, and the challenger ran for Congress with the support of the edi-

[5]Jerilyn McIntyre, "Communication on a Western Frontier -- Some Questions About Context," *Journalism History*, 3 (1976): 53-55, 63.

[6]A number of McMurtrie's pamphlets are reprints of articles from *Journalism Quarterly* and state historical society publications. He had published more than 200 items on printing history, typography, and printing techniques by 1935; some of them appear to be typeset by hand. A complete list can be found in Charles F. Heartman, *McMurtrie Imprints* (Hattiesburg, Miss., 1942) and *McMurtrie Imprints -- Supplement* (Biloxi, Miss., 1946). The stack of cards on McMurtrie publications in the catalog at the University of Minnesota Library alone is 4.5 inches thick.

tor.[7] In a nine-page pamphlet, McMurtrie reprinted a page from an 1863 small-town Utah newspaper which survived only two years because Indians forced the town to move. Yet even this newspaper boosted its region: "Few countries ever offered a wider field for the industrious, the energetic or scientific in the various details of home industry. The farmer, through his own and the experience of others, finds room for great improvement in the quantity of his crops with less than former labor." Another pamphlet reprinted an 1851 article from *Alta California* defending the firing of printers who organized a union. The printers had "forced us to discharge them and employ others who, while receiving the same compensation as their predecessors received, are willing that we shall have some voice in the management of our own business."[8]

The strongest and most lasting impressions of frontier journalism were left by the men and women who lived through the era, especially Samuel Langhorn Clemens, who spent only about three years in Nevada. Yet Mark Twain personified the rugged individualist in the image he left behind. After heading to Nevada to avoid the Civil War and to prospect for silver and gold, Clemens failed as a miner but acquired a job writing feature stories for the *Virginia City Territorial Enterprise*. There he adopted the non-de-plume Mark Twain and played the role of an archetypal frontier reporter, but he failed in his brief stint as editor: "I moralize well, but I did not always practice well when I was a city editor; I let fancy get the upper hand of fact too often when there was a dearth of news." Perhaps because of later pretensions to high society, Twain revealed little about his Nevada career other than the anecdotes relayed in his book, *Roughing It*. Nevertheless, historians have given Twain's Nevada period considerable attention.[9] Edgar Wilson (Bill) Nye, a more typical and more obscure writer than Twain, followed him in Western experience and on the national lecture circuit. Like Twain, Nye was a popular national figure, but his writing in Wyoming newspapers and his later books of humor were of much less lasting quality.[10] While poking fun at themselves, Twain, Nye, and other frontier writers created a stereotype of editors

[7]McMurtrie, *The Beginnings of Printing in Arizona* (Chicago, 1937), 10-11. A typical McMurtrie publication, this one contains a 44-page list of imprints from 1860 to 1875 and fewer than 20 pages of text reprinted from *Arizona Historical Review* of October 1932.

[8]*Notes on Early Printing in Utah Outside of Salt Lake City* (Los Angeles, 1938); *The Pacific Typographical Society and the California Gold Rush of 1849* (Chicago, 1928).

[9]Quotation from *Roughing It*, Chapter XLII. Ivan Benson, *Mark Twain's Western Years* (Stanford, 1938); Effie Mona Mack, *Mark Twain in Nevada* (New York, 1947); Edgar Marquess Branch, *The Literary Apprenticeship of Mark Twain* (Urbana, Ill, 1950); Henry Nash Smith, *Mark Twain: The Development of a Writer* (Cambridge, Mass., 1962); Paul Fatout, *Mark Twain in Virginia City* (Bloomington, Ind., 1964).

[10]A selection from Nye's writings is in T.A. Larson, *Bill Nye's Western Humor* (Lincoln, Neb., 1969). See also W.E. Chaplin, "Bill Nye in Laramie," *Second Biennial Report of the State Historian of Wyoming* (Sept. 30, 1922).

as rough-and-tumble fighters who could resort to six guns or as humorists who never let the facts get in the way of a good story.

Some frontier editors didn't stay in one place long enough to make a lasting impression or to leave a permanent file of their newspapers. One such editor, Legh Freeman, took his press with him as he kept ahead of the Union Pacific railroad and local vigilance committees. Tracking a roving editor is a difficult task. Nevertheless, Freeman has been the subject of several studies, including two book-length ones: Elizabeth Wright's *Independence in All Things, Neutrality in Nothing: The Story of a Pioneer Journalist of the American West* (1973) and Thomas H. Heuterman's more critical, scholarly, and entertaining *Movable Type: Biography of Legh R. Freeman* (1979). Heuterman concluded that Freeman's influence did not pass away with the frontier: "a legacy of tall tales, boosterism, and even racism seems to make inaccurate the statement that the frontier press bequeathed nothing that the West of the immediately succeeding era wanted to keep."[11] "Lying Jim" Townsend, a roving editor who shared some of Freeman's colorful defects of character, is the subject of Richard A. Dwyer and Richard E. Lingenfelter's *Lying on the Eastern Slope: James Townsend's Comic Journalism on the Mining Frontier* (1984).

Digging out the lives of ordinary journalists can yield new information about frontier newspapers and Western society. In newspaperman-promoter Pat Donan, historian Lewis O. Saum discovered an embittered man who found a renewed sense of purpose in his move west; Turner would have been pleased. A national celebrity for his colorful promotions of Dakota Territory, Donan dismissed the proposed division of Dakota into two states as a scheme to create political jobs, adding that Dakotans had done enough for the politicians when they named Devil's Lake for the patron saint of politics.[12]

Similar detective work has been done on Mark Kellogg, an obscure reporter in Dakota Territory until he died with Lt. Col. George A. Custer at the Little Big Horn in 1876. Historians are still putting together the pieces of Kellogg's seemingly contradictory life: Saum found Kellogg as a Copperhead journalist and candidate for public office in the 1850s at LaCrosse, Wisconsin; Warren E. Barnard found that Kellogg ran for office and published an 1872 campaign newspaper for Horace Greeley in Brainerd, Minnesota. Oliver Knight discovered that Kellogg

[11]Thomas H. Heuterman, *Movable Type: Biography of Legh R. Freeman* (Ames, Iowa, 1979), 145. Freeman is also discussed by Burton Deloney, "Press on Wheels," *Annals of Wyoming*, 14 (October 1942): 299-314, and John A. Lent, "The Press on Wheels: A History of the Frontier Index," *Journal of the West* (October 1971): 662-699.

[12]Lewis O. Saum, "Donan and the *Caucasian*," *Missouri Historical Quarterly*, 63:4 (1969): 419-450; "Pat Donan's West and the End of the Age of Hate," *Pacific Northwest Quarterly*, 60:2 (1969): 66-76; "The Broom Brigade, Colonel Donan and *Clementine*," *Missouri Historical Society Bulletin*, 25:3 (1969): 192-200; and "Colonel Donan and the Image of Dakota," *North Dakota History*, 37:4 (1970): 271-291.

once spent a snowstorm stranded on a train with George and Libbie Custer and that he was probably the telegrapher who wired for help to rescue the passengers. A printer and telegrapher, Kellogg sent dispatches from railroad construction camps between Duluth and Bismarck to the St. Paul *Pioneer* and other newspapers.[13]

By studying newspapers that operated in similar towns, David Fridtjof Halass in *Boom Town Newspapers: Journalism on the Rocky Mining Frontier, 1859-1881* (1981) isolated the challenges unique to mining camps in the Rockies. High prices for individual copies and pleas for patronage became necessary in camps where no one felt permanent enough to pay for a subscription. Health, sanitation, law, and order were among the common subjects about which boom town editors wrote. Colorful editors in mining camps thrived on strident personal journalism at the very time large, metropolitan newspapers became reliant upon standardized, straight news.

Because of their eclectic subjects, journalism historians seem unconcerned about apparent disagreements, such as inconsistencies between Oliver Knight, who sees editors as rugged individualists leading a fight for social change, and William H. Lyon, who concluded that editors were victims of forces beyond their control. Lyon argues that the pioneer editor put out the same monotonous paper year after year. "Society forced changes upon him," Lyon wrote; "he did not change society. He stood among the colorful men striving for recognition and influence in frontier society; but changing conditions of journalism, his own individualistic personality, his itinerancy, and his lax business methods deprived him of the stature he sought."[14] Writing just two years later, Knight concluded that newspapers were leaders of social change. "Just as the six gun, the windmill and barbed wire were regarded as the principal tools in the conquest of the Great Plains," he wrote, "so the frontier newspaper may be regarded as another important instrument in the civilizing of the West."[15]

Such contradictions about the role and character of frontier editors abound, even in the work of Turner himself. Editors as individualists became standard characters in histories of frontier journalism. In a 1918 speech, Turner described the

[13]John C. Hixon, "Custer's 'Mysterious' Mr. Kellogg," and "Mark Kellogg's Diary," *North Dakota History*, 17:3 (1950): 145-176; "Mark Kellogg's Letters," W.A. Graham, *The Custer Myth* (New York, 1953), 233-235; J.W. Vaughn, "The Mark H. Kellogg Story," *The Westerners New York Posse Brand Book*, 7:4 (1961): 73-75; Lewis O. Saum, "Colonel Custer's Copperhead: The 'Mysterious' Mark Kellogg," *Montana, the Magazine of Western History* 27:4 (1978): 12-25; Oliver Knight, "Mark Kellogg Telegraphed for Custer's Rescue," *North Dakota History*, 27:2 (1960): 95-99. Barnard has delivered several interesting papers on Kellogg, and I'm grateful to him for sharing his findings with me.

[14]William H. Lyon, *The Pioneer Editor in Missouri 1808-1860* (Columbia, 1965), 35-37, 164-165.

[15]Oliver Knight, "The Frontier Newspaper as a Catalyst in Social Change," *Pacific Northwest Quarterly* 58:2 (1967): 74-81.

country editor as "a vigorous and independent thinker and writer" and his Midwestern readers as dependable newspaper subscribers. However, Turner presented a more complex, less individualistic perception of his father's journalism in a personal letter written in 1922. "As the local editor and leader of his party," Turner wrote, "my father reported the community life, the problems of the farmer, the local news, (which I helped to 'set up'), went as delegate to state and national Republican conventions, assigned the candidates of his party to the varied nativities and towns of the county, as chairman of the Board of Supervisors, harmonized the rival tongues and interests of various towns of the country, and helped to shepherd a very composite flock."[16] Throughout his career, Turner stressed the importance of newspapers as sources for frontier history as long as historians did not take purported circulation figures too seriously.

Frontier Journalism as Social History

Historians of the frontier Ohio Valley were among the first to include newspapers in their social and cultural histories. Early cultural historians saw newspapers as evidence of the westward progress of white society and the printing press as a tool of civilization. For example, W.H. Venable included journalists in his biographical sketches of major Ohio Valley people in his *Beginnings of Literary Culture in the Ohio Valley* (1891). Ralph Leslie Rusk included a chapter on newspapers and magazines in his description of the white culture in Lexington, Cincinnati, St. Louis, Detroit, and other frontier towns. His two-volume study, *The Literature of the Middle Western Frontier* (1925), also covered poetry, fiction, travel, drama, scholarship, and "controversial writings," and it contains detailed footnotes and bibliography. Turner's Wisconsin friend Reuben Gold Thwaites wrote a valuable history of the first newspapers in the region in 1901.[17]

These histories laid the groundwork for Richard C. Wade's *The Urban Frontier* (1959), which shows the impressive value of early newspapers as sources for social history. Wade worked his way through the files of thirty-three newspapers and magazines to reconstruct the social life in pioneer Pittsburgh, Cincinnati, Lexington, Louisville, and St. Louis. "Each city had at least one weekly before 1810," Wade wrote, "and within another decade semi-weeklies and dailies began to appear. In the 1820's, for example, Cincinnati supported seven weeklies, two dailies, a literary monthly, a medical journal, and even a magazine for teen-agers. As the newspapers multiplied and expanded, they included more and more town news, printed official notices, published letters from citizens, and carried local advertising." Newspapers, he said, provided evidence of "settled and civilized life"

[16]Turner's address given in 1918 appears in *The Frontier in American History*, 335-359; the letter to Constance Lindsay Skinner, in Wilbur R. Jacobs, *The Historical World of Frederick Jackson Turner* (New Haven, 1968), 61.

[17]Reuben Gold Thwaites, "The Ohio Valley Press before the War of 1812-15," *Proceedings of the American Antiquarian Society*, 19 (April 1909): 309-368.

and offer historians a continuous account of local affairs.[18]

Like those of the Ohio Valley, historians farther west can find newspapers a rich source for social history. Robert R. Dykstra used newspapers to form conclusions about the Kansas cattle towns at the end of the trail drives in the 1870s. Like other town leaders, editors boosted town development by competing for cattle drives and railroads in the 1870s, but conflicts arose when farmers and some businesses wanted long-term settlement instead of rowdy cowboys and cattle trampling crops and bringing infectious livestock diseases. Local politicians and their respective newspapers argued over herd laws restricting the movement of cattle and quarantine statutes requiring trail herds to remain in isolation before allowing them into areas with other livestock. As waves of immigrants settled in the countryside, editors changed their positions on law and order and abandoned their opposition to herd laws.[19] Other social and political histories include newspapers as major sources in studies of manifest destiny, the copper kings of Montana, and attitudes toward prostitution in St. Paul, Minnesota.[20]

The minutiae reported in frontier newspapers provide what Donald W. Whisenhunt called "the microscopic parts of history" that provide insights into the larger society and culture. In studying the origins of local news, David J. Russo shows how nineteenth century rural editors increased their local news in response to competition from neighboring papers and the metropolitan press. Despite the growing standardization of news, these rural editors retained control over local news, a control which was reflected in the individuality of their columns.[21]

Statewide Frames of Reference

The most valuable histories of frontier journalism have concentrated on single states. These include the essay by Rhoda Coleman Ellison on Alabama, and to a lesser extent, the essays by Elizabeth Keen on Wyoming and by William A. Katz on Washington Territory. The major books on frontier journalism are by William H. Lyon in Missouri, George S. Hage in Minnesota, Porter A. Stratton

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[18]Richard C. Wade, *The Urban Frontier* (Chicago, 1959), 343-344.

[19]Robert R. Dykstra, *The Cattle Towns* (Lincoln, Neb., 1968); William W. Savage Jr., "Newspapers and Local History: A critique of Robert R. Dykstra's *The Cattle Towns*," *Journal of the West*, 10 (1971): 761-766.

[20]Frederick Merk, *Manifest Destiny and Mission in American History* (New York, 1963); Michael P. Malone, *The Battle for Butte: Mining and Politics on the Northern Frontier, 1864-1906* (Seattle,1981); Joel Best, "Looking Evil in the Face: Being an Examination of Vice and Respectability in St. Paul as Seen in the City's Press, 1865-83," *Minnesota History*, 50:6 (Summer 1987): 241-251.

[21]Donald W. Whisenhunt, "The Frontier Newspaper: A Guide to Society and Culture," *Journalism Quarterly*, 45 (1968): 726-728; David J. Russo, "The Origins of Local News in the U.S. Country Press, 1840s-1870s," *Journalism Monographs*, 65 (February 1980).

in New Mexico, and Marilyn McAdams Sibley in Texas.[22] The characteristics of frontier editors and newspapers that Ellison described in her essay were later found by Lyon, Hage, Stratton, and Sibley in their respective states.

Our current understanding of the economic and professional characteristics of frontier publishing emerged from these studies. Ellison's 1946 essay on frontier Alabama newspapers demonstrated that the early nineteenth century editors shared many of the trials later faced by their counterparts west of the Mississippi and Missouri rivers. Like subsequent editors in the Far West, Alabama editors promoted settlement, hoped for political patronage, fought over state printing contracts, faced transportation and communication difficulties, pleaded with advertisers and subscribers to pay their bills, and engaged in vituperative debates with other editors.

Ten years after Ellison, Elizabeth Keen saw Wyoming's newspapers as reflectors of town feuds and chroniclers of social, political, economic, and community life. William A. Katz's study (1967) of Washington Territory found editors dependent more upon federal than state and local patronage. In form, the patronage was the same as elsewhere: contracts for the printing of laws, journals, and reports.

Another state history, Lyon's *The Pioneer Editor in Missouri* (1965), offers the best look at editors and their place in frontier life and journalism. Besides the characteristics that Ellison identified in Alabama, Lyon found that Missouri editors risked life and limb when they editorialized on some issues. The proprietor of the *Missouri Argus*, for example, was beaten to death by the subject of his editor's vitriolic attacks. One ongoing editorial feud carried over into a court battle and street fight between editors. Missouri journalism is also the subject of a more detailed, but less sociological and less interesting account in William H. Taft's *Missouri Newspapers* (1964).

Hage's *Newspapers on the Minnesota Frontier* (1967) continued the story, providing an in-depth and entertaining look at the earliest Minnesota newspapers and the antics of their editors. Hage's editors also carried their fights into the street, and they doggedly attacked political corruption. Corruption, of course, usually ran rampant among the opposition's politicians and papers but seldom ever among people on the editor's own side. Hage's succinct book also describes changes in typography and layout, explains the operation of a Washington hand

[22]Rhoda Coleman Ellison, "Newspaper Publishing in Frontier Alabama," *Journalism Quarterly*, 23 (1946): 289-301; Elizabeth Keen, "The Frontier Press," *University of Wyoming Publications*, 20 (1956): 75-100; William A. Katz, "The Western Printer and His Publications, 1850-90," *Journalism Quarterly*, 44 (1967): 708-714; Lyon, *The Pioneer Editor in Missouri 1808-1860*; George S. Hage, *Newspapers on the Minnesota Frontier 1849-1860* (St. Paul, Minn., 1967); Porter A. Stratton, *The Territorial Press of New Mexico 1834-1912* (Albuquerque, 1969); Marilyn McAdams Sibley, *Lone Stars and State Gazettes: Texas Newspapers before the Civil War* (College Station, Texas, 1983).

press so common in frontier newspaper offices, and contains genealogical charts of the major newspapers in Minneapolis and St. Paul.

A comprehensive history of the role of the frontier press in the political and social debates in early New Mexico Territory appears in Porter A. Stratton's *The Territorial Press of New Mexico 1834-1860* (1969). Newspapers of the Southwest faced the same challenges as their counterparts in Missouri and Minnesota. But New Mexico's unique problems included conflicts between the United States and Mexico in addition to Indian fights common to every Western state. Stratton studied the role of the press in these various conflicts and the fight over statehood in one of the last states admitted to the union. His study includes the Spanish-language and bilingual newspapers needed to reach the large number of Spanish-speaking residents.

Stratton puts issues into sharper focus than Marilyn McAdams Sibley's more traditional approach (1983) that emphasized individual editors, newspapers, and chronology more than issues. Texas newspapers shared many of the characteristics and problems of the New Mexico press. Sibley's early chapters describe fights between the United States and Mexico over printing presses -- battles that resembled modern wars over radio stations by Third World guerillas.

Some statewide histories have been organized alphabetically by newspapers. For example, *The Newspapers of Nevada: A History and Bibliography, 1854-1979* by Richard E. Lingenfelter and Karen Rix Gash (1984) and *Early Utah Journalism: A Half Century of Forensic Warfare Waged by the West's Most Militant Press* by J. Cecil Alter (1938) contain much entertaining and useful information about their states' newspaper histories, but the books' organization makes the information less accessible than chronological or issue-oriented histories. Other useful state histories include George S. Turnbull, *History of Oregon Newspapers* (1939), and Edward C. Kimble and Helen Bretnor, *A History of California Newspapers 1846-1858* (1962).

The large number of newspapers created in small frontier towns and their mortality rates make the creation of histories and bibliographies difficult. In their introduction, Lingenfelter and Gash describe the challenge: "Of the roughly 800 publications started in Nevada in the last 125 years, half failed in a year or less, and only 70 were still being published in 1979. Roughly half of Nevada's papers were published in mining camps, and many others were published in farming or ranching communities or in railroad shipping points dependent on the mining camps for a market."[23] To make matters worse, copies of the first issues of many papers have long since deteriorated.

Some states have comprehensive bibliographies of their extant newspapers. A few of these were done by McMurtrie, who grew up in New York City and moved westward to Chicago, where he created typefaces and wrote about typography as well as charting the westward course of printing. He worked briefly in the

[23]Richard E. Lingenfelter and Karen Rix Gash, *The Newspapers of Nevada: A History and Bibliography, 1854-1979* (Reno, 1984), xix.

1930s for the Works Progress Administration, which compiled several statewide newspaper bibliographies. Following the WPA's lead, many others have compiled such bibliographies. Two of the most recent ones are Lola Homsher, *Guide to Wyoming Newspapers 1867-1967* (1971), and Carol Koehmstedt Kolar, *Union List of North Dakota Newspapers 1864-1976* (1976).

Some journalists and historians have blended the bibliographical and narrative approaches into state journalism histories. At least two state press associations have sponsored lavishly illustrated publications containing thumbnail histories of newspapers introduced by a short overview of the state's journalism. These are Sam Gilluly, *The Press Gang: A Century of Montana Newspapers, 1885-1985* (1985), and Robert F. Karolevitz, *With a Shirt Tail Full of Type: The Story of Newspapering in South Dakota* (1982). The Nebraska Press Association celebrated its centennial with a less ambitious fifty-three-page organizational history, *The Story of the Nebraska Press Association* (1973). The Texas Daily Newspaper Association went these groups one better, though, with its sponsorship of Sibley's more scholarly book. At the end of her history, Sibley provides a seventy-seven-page bibliography of Texas newspapers published between Annexation in 1845 and the Civil War. Other press associations should be encouraged to follow the precedents set by these states.

Analytical and Interdisciplinary Approaches

Turner's 1893 paper called for more sophisticated analyses of the frontier by the application of social science and statistics to historical questions. He began his address by quoting the conclusion of the 1890 Census that the United States no longer had a frontier line. In calling for new methodologies and new questions, Turner's presentation left his thesis open for discussion and debate -- a debate which continues in Western history conferences and journals. Historians are still working on the agenda Turner created.[24]

The methods of journalism history are best illustrated by the mix of traditional history, straightforward reporting, and quantitative social science techniques in two collections of essays emphasizing themes, issues, editors, and newspapers in thematic issues of *Journalism History* and *Journal of the West* published in the spring of 1980. Topics ranged from traditional biographical sketches of editors and newspapers to systematic examinations of such topics as settlement promotion, law and order, racism, and the economics of publishing.[25] A similar range on the state level can be found in Warren J. Brier and Nathan B. Blumberg, *A Century of Montana Journalism* (1971), a collection of essays from the *Montana Journalism Review*.

[24]An excellent collection of historiographical essays on frontier history is Michael P. Malone, ed., *Historians and the American West* (Lincoln, Neb., 1983). Turner's continuing influence is discussed by Malone in his introductory chapter.

[25]*Journalism History, Special Frontier Issue*, 7:2 (1980); and *Journal of the West*, 19:2 (1980). The special issue of *Journal of the West* was published with three additional essays as Lyon's *Journalism in the West*.

Recent interest in the economics of frontier publishing has revealed details of the editor's dependence upon town boosterism and political patronage. A.L. Lorenz's study of Wisconsin patronage found this dependence to be the result of difficult economic circumstances, rather than a desire to boost a town or cause. The relationship between printers and boosters was a tenuous one. "The boosters," Lorenz wrote, "lent the printer the money that was necessary to begin his newspaper, provided copy in which they gave voice to their dreams of the future, and saw to it that the newspapers were circulated free in the East to bring their communities 'to the favorable attention of immigrants and the eastern world generally,' ... But as soon as the boosters lost their visions or their money or simply left to find new challenges in the land farther west, the newspapers they had supported failed, and the printers had to seek new sources of support." Lorenz found that many editors aligned themselves with politicians or political parties, which often put them on an even shakier financial footing.[26]

Barbara Cloud has applied statistics to frontier journalism to show that, contrary to many claims, newspapers were not established in every town. Her research on Washington Territory supported the long-held notion that newspapers stimulated growth, but she found no correlation between a town's size and the number of newspapers it supported. Towns with newspapers shared some characteristics, such as population demographics and a certain level of manufacturing and agriculture. In discussing her data, Cloud challenged the notion of an independent "frontier editor," contending that publishers were careful entrepreneurs who investigated the prospects of a town before setting up shop there.[27]

Cloud's application of statistics followed Turner's suggestion by more than ninety years; interdisciplianry studies of the frontier had not been so far behind. The most fruitful interdisciplinary studies of frontier culture have slighted newspapers in favor of dime novels, political oratory, popular music, movies, and television. The study of the mythic frontier has been dominated by a work as influential in interdisciplinary scholarship as Turner's has been in history. Significantly, Henry Nash Smith in *Virgin Land: The American West as Symbol and Myth* (1950) devoted more attention to the dime novels than to Turner's paper which came at the end of more than a century of myth-making about the frontier as a Garden of Eden. Smith demonstrated that nineteenth century popular culture carried themes -- e.g., man versus nature, savagery versus civilization -- similar to those articulated by Turner.

Significant studies of American literature, such as Leo Marx, *The Machine in the Garden: Technology and the Pastoral Ideal in America* (1964), followed Smith's lead. But it was Smith's use of popular sources that opened the floodgates on Western materials. John William Ward's landmark *Andrew Jackson:*

[26]A.L. Lorenz, " 'Out of Sorts and Out of Cash': Problems of Publishing in Wisconsin Territory, 1833-1848," *Journalism History*, 3 (1976): 34-39, 63.

[27]Barbara Cloud, "Establishing the Frontier Newspaper: A Study of Eight Western Territories," *Journalism Quarterly*, 61 (1984): 805-811.

Symbol for an Age (1953) relied upon campaign materials and other popular sources as well as traditional ones in re-creating the popular image of Old Hickory. Ward demonstrated how Jackson symbolized his age with three popular themes: his identification with nature, his furtherance of God's will (civilization against savagery), and his strong individualism. In tribute to his teacher, Ward said he'd like to think that Henry Nash Smith's mark is on every page.

Ray Allen Billington crowned his prestigious career in frontier history with an important study of imagery of the frontier as a major factor that enticed Europeans to migrate to the American West. In *Land of Savagery, Land of Promise: The European Image of the American Frontier* (1981), Billington studied promotions of frontier development, popular fiction, and special-interest newspapers in the United States and Europe created to get people to move west. These popular media created a mythical land of promise, providing hope for escape from urban, industrial society. At the same time, the press and popular culture perpetuated the image of the frontier as a challenging, savage land.

In a major interdisciplinary work, Richard Slotkin studied Eastern newspapers and the emergent mass culture along with other perpetrators of frontier myths in *The Fatal Environment: The Myth of the Frontier in the Age of Industrialization, 1800-1890* (1985). Ironically, Slotkin uses the interdisciplinary methods suggested by Turner to stand Turner on his head. The ideas of frontier individualism and freedom did not evolve on the frontier: they came from the city, where they justified a changing economic order resulting from the industrialization of the United States in the late nineteenth century. To Slotkin, Turner's thesis merely perpetuated myths which included notions of racial superiority and economic progress.

Themes and Special Interests in Frontier Journalism

Besides interdisciplinary scholarship, new questions in social history have informed journalism history in recent years. These questions evolved from the rising consciousness of sexism, racism, and ethnicity. In the frontier issue of *Journalism History*, Sherilyn Cox Bennion provided "A Working List of Women Editors of the 19th-Century West" demonstrating that women played an important role in frontier journalism. A subsequent article, "Women Suffrage Papers of the West 1869-1914," outlined the pivotal role of Western suffrage editors. As one of the most prolific writers on female frontier editors, Bennion has illustrated the growing importance of this area of study.[28]

[28]Sherilyn Cox Bennion, "The Woman's Exponent: Forty-two Years of Speaking for Women," *Utah Historical Quarterly*, 44:3 (1976): 222-239; "The New Northwest and Women's Exponent: Early Voices of Suffrage," *Journalism Quarterly*, 54 (1977); "Early Western Publications Expose Women's Suffrage Cries," *Matrix*, 64:4 (1979): 6-9; "A Working List of Women Editors of the 19th Century West," *Journalism History*, 7 (1980): 60-65; "The Pioneer: The First Voice of Women's Suffrage in the West," *Pacific Historian*, 25:4 (1981): 15-21; "Lulu Green Richards: Utah's First Woman Editor," *Brigham Young University Studies*, 21:2 (1981): 155-174; "Enterprising Ladies: Utah's Nineteenth-Century Women Edi-

Increasing awareness of the role of women brought an increased interest in individual editors such as Jane Grey Swisshelm, who makes an excellent feminist study because she was an abolitionist, a feminist, and a fighter for freedom against political bosses and vigilante mobs in frontier Minnesota. Before moving west, she was a Washington correspondent for Horace Greeley and the first woman to sit in the U.S. Senate press gallery. The danger in studying a strong personality like Swisshelm is that scholars can be tempted to take their zeal for role models to the point of glossing over faults, like Swisshelm's religious intolerance and racism against Minnesota Indians. Even though these characteristics were typical of her time and place, they must be included to present a full portrait of the person.[29]

Historians tend to view Native Americans from the perspective of the white press, and several studies have covered white attitudes toward the Indians.[30] Research on treatment of Indians in the press increased during the 1960s and 1970s. But Elmo Scott Watson had done pioneer work in this area as early as 1940 with his publications, including "The Indian Wars and the Press, 1866-1867."[31] Indian conflicts were also covered in the authoritative work on newspaper correspondents who traveled with the Army on the frontier in Oliver Knight's *Following the Indian Wars: The Story of the Newspaper Correspondents Among the Indian Campaigners* (1961). In "The Role of the Press in an Indian Massacre, 1871," William B. Blankenburg examined the performance of a newspaper in covering up plans for an attack on an Indian camp, justifying the massacre of eighty-five

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tors," *Utah Historical Quarterly*, 49:3 (1981): 291-304; "Ada Chase Merritt and *The Recorder*: A Pioneer Idaho Editor and Her Newspaper," *Idaho Yesterdays*, 25:4 (1982): 22-30; and "Women Suffrage Papers of the West 1869-1914," *American Journalism*, 3 (9186): 125-141.

[29]The most balanced treatment of Swisshelm remains the collection of her writings and introduction by Arthur J. Larsen, *Crusader and Feminist: Letters of Jane Grey Swisshelm 1858-1865* (St. Paul, Minn., 1934); and a dramatic account of her courage against local injustice appears in Hage, 82-91. See also Kathleen Endres, "Jane Grey Swisshelm: 19th Century Journalist and Feminist," *Journalism History*, 2 (1975-76): 128-132; S.J. Fisher, "Reminiscences of Jane Grey Swisshelm, *Western Pennsylvania Historical Magazine* 4: 165-174; Maurine Beasely, "Pens and Petticoats: Early Women Washington Correspondents," *Journalism History*, 1 (1974-75): 112-115, 136; "Jane Grey Swisshelm, Abolitionist, Feminist, Journalist," Chapter 7 of *Great Women of the Press* by Madelon Golden Schilpp and Sharon M. Murphy (Carbondale, Ill., 1983). A study that sees Swisshelm's abolitionism as almost a perversion is Peter Walker, *Moral Choices: Memory, Desire and Imagination in Nineteenth-Century Abolition* (Baton Rouge, 1978).

[30]See, for example: Merk; Albert K. Weinberg, *Manifest Destiny* (Baltimore, 1935); Roy Harvey Pearce, *Savagism and Civilization: A Study of the Indian and the American Mind* (Baltimore, 1965); Robert F. Berkhofer Jr., *The White Man's Indian* (New York, 1978); Richard Drinnon, *Facing West: The Metaphysics of Indian-Hating and Empire-Building* (Minneapolis, 1980).

residents, and circulating the white perspective on the conflict.[32] A brief look at three enlisted men who served as newspaper correspondents during the Sioux campaign was provided by William A. Dobak, "Yellow-Leg Journalists: Enlisted Men as Newspaper Reporters in the Sioux Campaign, 1876."[33]

Sharon M. Murphy and Sam G. Riley have done important work on American Indian media. Both have articles in a special issue of *Journalism History* (1979) devoted to Native Americans. In it, Murphy discusses "American Indians and the Media: Neglect and Stereotype," and Riley provides "A Note of Caution -- The Indian's Own Prejudice, as Mirrored in the First Native American Newspaper." In earlier studies, Riley described the complex political problems of the Indian struggle for press freedoms. The Cherokees, Riley found, waged a courageous fight for a free press, but editor Elias Boudinot was overwhelmed by repression from the Georgia Legislature, which was pressing for removal of the Indians, and by the tribal council, which prohibited him from reporting disagreements among Indian leaders on their response to white pressure. Riley followed Indian struggles into the twentieth century with his essay on a Creek editor and humorist.[34] James E. Murphy and Sharon M. Murphy's *Let My People Know: American Indian Journalism* (1981) provides a brief history and bibliography of American Indian journalism. James P. Danky and Maureen E. Hady offer no history, but they provide a comprehensive listing with the locations of the holdings of even the most obscure editions in *Native American Periodicals and Newspapers 1828-1982* (1984).

Spanish-language media have been even more neglected by historians. Yet the first mechanical press in the New World appeared in Mexico City in 1535 -- a century before the first English-language press at Harvard College -- and Spanish publications reported events soon afterward. Regular periodicals appeared contemporaneously with their English counterparts in the East, but different circumstances resulted in fewer successful newspapers. Spanish-language presses are an important part of Stratton's and Sibley's histories of Southwest journalism. But Spanish publications have been virtually ignored in general histories. A special issue of *Journalism History* (1977) began to redress this shortcoming. This publication contains an overview by Felix Gutierrez, "Spanish-Language Media in America: Background, Resources, History," a selected bibliography and articles on such topics as the Mexican revolution and Spanish-language broadcasting. A subsequent issue provided additional information about some of the earliest New

[31]*Journalism Quarterly*, 17 (December 1940): 301-312.

[32]William B. Blankenburg, "The Role of the Press in an Indian Massacre, 1871," *Journalism Quarterly*, 59 (1968): 61-70.

[33]*Journal of the West*, 13:1 (January 1974): 86-112.

[34]Sam G. Riley, "*The Cherokee Phoenix:* The Short, Unhappy Life of the First American Indian Newspaper," *Journalism Quarterly*, 53 (1976): 666-671; "*Indian Journalism*, Voice of the Creek Tribe, Now Oklahoma's Oldest Newspaper," *Journalism Quarterly*, 59 (1982): 46-51; "Alex Posey: Creek Indian Editor/Humorist/Poet," *American Journalism*, 1:2 (1984): 67-76.

World newspaper prototypes and reprinted a 1541 news story about an earthquake.[35]

Looking at specific themes and interest groups can yield fruitful results when challenging economic and social as well as the racial assumptions of the press. Stephen E. Ponder explored the dynamics of newspapers in the midst of economic controversy in looking at the influence of Seattle's industrial and commercial leaders on local newspapers during the debate over forest reserves (1986).[36] A very different history and compilation of regional interest group newspapers and their contributions to social reform can be found in Westly Norton, *Religious Newspapers in the Old Northwest to 1861: A History, Bibliography, and Record of Opinion* (1977).

One major interest-group has been neglected. Surprisingly, the major history of agricultural journalism is more than forty years old. Albert Lowther Demaree's *The American Agricultural Press 1819-1860* (1941) would be hard to surpass in this area, but agricultural journalism, like agricultural history, could stand a strong dose of revisionism in light of current farm crises. William E. Ogilvie, *Pioneer Agricultural Journalists* (1927), simply reprinted a series of articles about the pioneer editors.

The Future of Frontier Journalism History

Few books attempt an overview of frontier journalism, and those that do have serious limitations. Entertaining books provide anecdotal information and useful illustrations of the frontier press, but such studies have contributed more to sweeping, stereotypical generalizations than to systematic analysis. A more credible general approach to frontier journalism can be found in the illustrated history by Robert F. Karolevitz, *Newspapering in the Old West: A Pictorial History of Journalism and Printing on the Frontier* (1965). With dozens of photographs and illustrations, Karolevitz conveys the feeling of the cluttered print shops that promoted western settlement. The photos provide far more social history than the superficial text which is obsessed with the first newspaper in each of the western states.[37]

[35]Al Hester, "Newspapers and Newspaper Prototypes in Spanish America, 1541-1750," Felix Gutierrez and Ernesto Ballesteros, ed., "The 1541 Earthquake: Dawn of Latin American Journalism," *Journalism History*, 6 (1979): 73-83, 88.

[36]Stephen E. Ponder, "Conservation, Community Economics, and Newspapering: The Seattle Press and the Forest Reserves Controversy of 1897," *American Journalism*, 3, (1986): 50-60.

[37]John Myers Myers, *Print in a Wild Land* (Garden City, N.Y., 1967) and Jo Ann Schmitt, *Fighting Editors: The Story of Editors Who Faced Six-Shooters with Pens and Won* (San Antonio, Texas, 1958) are more sensational than systematic. Karolevitz' interest in the frontier carries over into *From Quill to Computer: The Story of America's Community Newspapers* published by the National Newspaper Association to commemorate its centennial in 1985. Another illustrated volume by Keith Wheeler, *The Chroniclers* (Alexandria, Va., 1976), was published in the Time-Life series on the Old West.

As the first of the Progressive historians, Turner viewed history as a series of conflicts which led to a better society. Similarly, Progressive historians of the press viewed the past, in the words of James D. Startt and Wm. David Sloan, "as a struggle in which editors, publishers, and reporters were pitted on the side of freedom, liberty, civil reform, democracy, and equality against the powerful forces of wealth and class." Following Turner's lead, Progressive historians emphasized the conflict in American history. In contrast, the subsequent generation -- the *Consensus* historians -- stressed the agreement among groups in American history. Richard Hofstadter, a liberal critic of both Progressive and Consensus history, has argued that the "agrarian myth" of yeoman farmers and rugged individualists did not conform to the "commercial realities" of frontier life.[38]

Other studies have emphasized the extent to which Turner's theory fit into the mainstream of American popular culture. To them, Turner merely replaced Protestant predestination with social Darwinism, and he reconciled a nostalgia for the vanishing frontier with scientific history. Progressive historians, like their predecessors, accepted some of the romantic notions of history: ideas of American uniqueness, rugged individualism, the regenerative value of nature, and a connection between democracy and free land.[39]

Because the mass media bridge the gap between a culture's ideology and its economic realities, the study of frontier journalism should be particularly exciting as journalism historians adopt interdisciplinary methods and develop theories of the frontier press. Gene Burd has suggested bridging the distance between the detailed accounts of newspapers and the social histories of their towns by conducting an autopsy of ghost towns through their newspapers' pages. His proposed autopsy examines the role of the newspaper in a town's rise and fall.[40] Frederic F. Endres studied Ohio Frontier obituaries to explore the relationship between the newspaper and society and to see what stereotypes the press conveyed. He concluded with a call for further study of the relationship between "newspaper reality" and "social reality."[41]

Many frontier stories remain to be discovered and reported by journalists working as historians. But journalism history needs more synthesis on, for example,

[38]Richard Hofstadter, *The Age of Reform*, (New York, 1955); James D. Startt and Wm. David Sloan, *Modern Communication Research: A Manual of Historical Methods in Mass Communication*, forthcoming. I'm grateful to the authors for a preview of the historiographical portion of their study.

[39]Henry Nash Smith, *Virgin Land* (New York, 1950); David W. Noble, *Historians Against History* (Minneapolis, 1965) and *The End of American History* (Minneapolis, 1985); Richard Hofstadter, *The Progressive Historians: Turner, Beard, Parrington* (New York, 1968), 3-164; Richard Slotkin, *The Fatal Environment* (Middletown, Conn., 1985).

[40]Gene Burd, "The Ghost Town Newspaper: An 'Autopsy' Approach to Frontier Press," *Journalism History*, 8 (1981): 99-103.

[41]Frederic F. Endres, "Frontier Obituaries as Cultural Reflectors: Toward 'Operationalizing' Carey's Thesis," *Journalism History*, 11 (1984): 54-60.

the apparent contradictions between Knight and Lyon on whether the editors were rugged individualists or corporate and political spokesmen. Their disparate conclusions reflect not only differences in method but also differences in time and place: Lyon's study considered the first editors in Missouri from 1808 to 1860 while Knight considered one newspaper in the late 1860s at Silver City, Idaho. After Barbara Cloud's work on the Pacific Northwest, a study of the similarities and differences between her frontiers and the ones in Missouri, Minnesota, and New Mexico is also in order. Frontier historians, including Turner, certainly admit that the concept of the frontier changed as it moved west. These significant gaps in time and place illustrate the difficulty of generalizing about frontier journalism.

New stories and insights will be rewarding, but the historical study of frontier journalism needs a conscious discussion of assumptions and the creation of new theories. Without them, the field can lose its sense of intellectual excitement.

CHINA Reporting: An Oral History of American Journalism in the 1930s & 1940s. *By Stephen R. MacKinnon and Oris Friesen.* Berkeley, Los Angeles, London: University of California Press, 1987. 230 pp.

On November 18-20, 1982, surviving journalists with a corps of historians convened at Scottsdale, Arizona, to reexamine their reporting of the China story in the 1940s. The result is a book by the conference organizer, Stephen MacKinnon, along with Oris Friesen. Among the many primary participants and contributers were such journalists as John Hersey (*Time-Life*, *New Yorker*) and Harrison Salisbury (United Press in Moscow). Two notable retired diplomats, John S. Service and John Melby, also attended.

The informative and entertaining reminiscences interspersed with historical explanations from the authors make for interesting reading. Topics discussed included problems with language facility and living conditions in China, Chinese and American censorship, editorial policies of editors and publishers, personal bias of journalists, and propaganda pressures from madame Chiang Kai-shek and Chou En-lai.

The central question that the reporters asked themselves was whether or not they got the story right. Most seemed to agree with Henry Lieberman that, "We did a pretty goddam good job." Whey they asked themselves whether they were biased in favor of the Chinese Communists, not surprisingly most of them insisted that they were not. The did admit, however, that Chou En-lai was an engaging individual whereas Chiang Kai-shek and his wife were virtually impossible to like or admire.

While most of the conferees insisted that they told the China story correctly, some admitted that they were overly enamored with the Chinese Communists and failed to understand their true nature and goals. Harold Isaacs, in his own recent book, *Re-Encounters In China* (M.E. Sharpe, 1985), poignantly describes his disillusionment with the Mao era. Other reporters admitted that, had they not completely missed the Communist rectification (*cheng feng*) movement of 1944, the horrors of the Great Proletarian Cultural Revolution may have at least been predicted if not avoided.

Although T.H. White declined to attend the conference for personal reasons, in a letter to the conference coordinators, he clearly indicated that he, too, is now less self-assured than some of his colleagues, and far less self-righteous than he himself had been when he wrote *Thunder Out of China* (1946). He humbly remarked, "I got my degree there (Harvard) after having passed a sight examination in reading Confucious (or was it Mencius). Such Harvard training in classic Chinese proved utterly useless when I arrived. The correspondents of this generation

(Butterfield, Bernstein, *et alia*) are far away superior to any of us who were in China then." White added, "We were all very young men, ignorant men, unskilled men. China was a mystery to all of us as it remains to this day a mystery to the most learned scholars. We never knew *who* was doing *what* to whom and *why*. We could not penetrate Chinese politics."

If White seems to have mellowed, he was not unlike his mentor, Harvard Professor John K. Fairbank who told the conferees, "It's perfectly plain that we all tried, but we failed. Everybody here participated in one of the great failures in history. I mean that we could not educate or illuminate or inform the American people. . . . (p. 184).

"We were all superficial -- academics, government officials, journalists. We were a small thin stratum. . . . We never talked to a peasant." (p. 6).

All in all the book is well written and interesting and asks important questions which, now that the cold war paranoia of the 1950s and the new lest extremism of the Vietnam era are behind us, can be examined more dispassionately.

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The Press and The State: Sociohistorical and Contemporary Interpretations. *By Walter M. Brasch and Dana R. Ulloth.* Lanham, Maryland: University Press of America, 1986. 811 pp. Paper, $26.25.

If the history of the world, as Georg W.F. Hegel put it, "is non other than the progress of the consciousness of Freedom," then the history of the media might be their role in the development of the modern system for freedom of expression. The sharpest edge of this development has been in the movement for political expression, in which Hegel, Marx, and others were, of course, most interested. The function of the media in political systems across time and space probably has not been so much in leading campaigns for more freedom but rather in providing a visible and dynamic social experiment that tests the relationship between authority and a society's consensus.

This tension between the state and the media forms the basis for Walter Brasch and Dana Ulloth's *The Press and the State*, a commendable 811-page summary of 5,000 years of freedom of expression, the media, and political philosophy and contemporary approaches in politics and law to problems in media regulation and applicable individual freedom of expression.

The authors may overstate the significance of their book by calling its organization a "new political philosophy" and its content as filling "a major hole in journalism education," but their Hegelian (and Herculean) aspirations have produced perhaps the broadest perspective on political freedom of the media in one book.

The Press and the State is a textbook of fifty-one chapters in two parts. The first thirty-five chapters deal with the history of the media and political philosophies as they apply to the media. Part II is divided into three sections: the state as suppressor of freedom of expression, the state as facilitator of freedom of expression, and the state as manipulator of freedom of expression. The history of the media and political philosophy is well written and concise despite its 375 pages. Excerpts from the writings of Jefferson, Black, Emerson, and two Communists help color this part.

Major portions of part II, on the other hand, are arranged in unparallel sections and are written by a curious group of commissioned and reprinted authors, too many of whom are journalists, politicians, lawyers, and recent journalism graduate students instead of philosophers, historians, and constitutional scholars. The priority assigned to the topics also is questionable. Only six imprecise pages, for example, are devoted to libel and privacy law while fifteen pages are given to joint operating agreements. No documentation is provided to the reader except for a few slim bibliographies. The sections on modern media history and current theories and law are almost exclusively focused on the United States. Certainly different perceptions of the relationship between government and media could be learned from comparisons with other systems.

A final criticism would be the editing for grammar, spelling, and typographical errors. Given the publisher, such problems are to be expected.

On the other hand, probably no traditional textbook publisher would have given the authors the latitude they bestowed upon themselves by publishing through UPA. And that freedom has resulted in a welcome picture of freedom of the press painted with the broadest of strokes.

Tom Schwartz
Ohio State University

Eleanor Roosevelt and the Media: A Pubic Quest for Self-Fulfillment. *By Maurine H. Beasley.* Urbana and Chicago: University of Illinois Press, 1987. 240 pp. $24.95.

This book grew out of Maurine Beasley's earlier work on the press conferences of Eleanor Roosevelt, published in 1983 as *The White House Press Conferences of Eleanor Roosevelt.* Beasley, an associate professor of journalism at the University of Maryland, writes in the preface of her new book that she realized as she researched the press conferences that they needed to be studied in the context of Roosevelt's journalistic career and her emergence as a media personality.

Eleanor Roosevelt and the Media traces the development of a woman who became one of the best known personalities of her time -- from the shy, awkward bride of an aspiring politician to the skilled manipulator of the mass media that

the ultimately became. Beasley quotes a comment made by a State Department man about Roosevelt's performance in a delicate discussion and used in a *New Yorker* profile, "Never have I seen naivete and cunning so gracefully blended."

The book's subtitle, "A Public Quest for Self-Fulfillment," indicates the book's underlying theme, that Roosevelt felt a psychological need to establish herself as a competent career woman. She used here position as the president's wife to gain access to the media -- holding press conferences, writing a syndicated newspaper column, selling articles to magazines, and developing radio shows. At the same time, she maintained her image as an ideal wife and mother, always advising her readers that their home responsibilities came first.

The most illuminating chapters of the book deal with Roosevelt's press conferences during her White House years. They not only explain the development of the sessions for women reporters. The reporters, many of whose careers Beasley summarizes, helped Roosevelt to recognize the newsworthy and to avoid embarrassing blunders. In return, they got stories that earned them bylines and recognition from their editors.

Discontent sometimes surfaced among the reporters, particularly when Roosevelt used her syndicated column, "My Day," instead of a press conference to break significant news. They also criticized her rambling statements and here sponsorship of press conference appearances by women in minor governmental positions. Some reporters wondered if their careers were being retarded, rather than advanced, by their identification with the Roosevelt coterie. Male reporters expressed resentment and contempt.

Although the book has no bibliography, it contains thirty-six pages of notes which attest to Beasley's exhaustive research. She was fortunate enough to find an interview several of the reporters who had attended Roosevelt's press conferences, and their personal recollections enliven the book. Statements from the reporters, and the work as a whole, support her concluding contention that Roosevelt was the first important American woman in public life to demonstrate the power of the media.

Sherilyn Cox Bennion
Humboldt State University

The Charlotte Observer: Its Time and Place, 1869-1986. *By Jack Claiborne.* Chapel Hill: University of North Carolina Press, 1986. xiv, 357 pp. $19.95.

One of my recurring fantasies is this. With a bottomless pit of cash, I bankroll three people to write a history of the same newspaper. One is a member of its editorial staff. Another is a journalism professor. The third, a history professor,

preferably something of a young Turk. Would the results be different? Of course, though the degree of differences in approach and conclusions would be the most interesting part of all this. This is not to say that we would expect "bad" work from any of the trio, or that there is an inherent superiority of one breed of historian over another.

Jack Claiborne's work on the Charlotte *Observer* would have been the ideal test tube to make my fantasy come true. He is a Charlotte native and has been with the newspaper his entire career, covering sports, education, and the nation's capital before becoming an editorial writer. He has been an associate editor since 1972 and holds degrees from the universities of North Carolina and Chicago. His introduction sets forth an impressive (and appropriate) list of sources used, ranging from personal documents and clip files to the courthouse records and oral history. It is doubtful that the list could be much improved by any other historian.

The *Observer* has a fascinating and sometimes precarious past, one that reflects both the changing face of its city and newspaper journalism in that city. The first issue came off a hand-operated press, one rescued from the storage shed of a veteran who ran a short-lived political campaign newspaper. Four unemployed but not inexperienced printers took a little cash, support from merchants, and the promise of bank loans into a community where previous dailies had flopped. Their newspaper carried the title *Daily Carolina Observer*, later renamed. It first appeared January 25, 1869. Their city was still struggling economically in the wake of the Civil War. Life in general was uncertain and difficult. The *Observer* managed to become the sole surviving daily by the time Charlotte grew from a rural crossroads of four thousand to a metropolitan area of one million. Claiborne has set his story in the context of the life and growth of that community and done it well. He clearly recognized the inseparable relationship of media to environment and offers plausible explanations as to why the *Observer*, rather than some other competitor, persisted and, mostly, prospered. The newspaper outlasted bad economic times, competition, and editorial vision that from time to time was stunted and narrow. It surged ahead as a business enterprise and journalistic institution after the Knight chain bought it and installed C.A. "Pete" McKnight to give new editorial leadership and direction. Today the newspaper is among the nation's finest.

The book will serve as the standard history of the *Observer* unless and until someone gets the foolish (for economic reasons) thought to take a fresh look at the turf. Claiborne has mastered his material and given us clear prose, always trying to fit the newspaper into its community setting.

It does not, however, challenge the author's integrity or ability to ask whether a staff member can put enough distance between himself and the subject to be both balanced and thoroughly critical in his approach. Discussions of labor relations, the life and death of the Charlotte *News*, and other staffers might be viewed differently by my other two competing authors, if my fantasy were set into the real world on this project. And I certainly would have insisted on the tra-

ditional footnoting and bibliography, something the editors at the UNC Press didn't, unfortunately. The book is useless for scholars who want to follow up on one issue or another, because of this oversight.

Wallace B. Eberhard
University of Georgia

Mass Media: A Chronological Encyclopedia of Television, Radio, Motion Pictures, Magazines, Newspapers, and Books in the United States. *By Robert V. Hudson.* New York: Garland Publishing Inc., 1987. 435 pp. Index. Cloth, $39.95.

Encyclopedia of Twentieth-Century Journalists. *By William H. Taft.* New York: Garland Publishing Inc., 1986. 408 pp. Index. Cloth, $39.95.

The American Journalist: A Portrait of U.S. News People and Their Work. *By David H. Weaver* and *G. Cleveland Wilhoit.* Bloomington: Indiana University Press, 1986. 216 pp. Cloth, $25.00.

The growing number of reference works on media history should be welcomed by all historians in the field. They do more than provide useful sources of information. They attest to the growing vitality of the study of media history. Several publishers have accelerated their efforts recently, and they are joined by a number of publishers who issue books occasionally. These two encyclopedia by Robert Hudson and Bill Taft indicate, we hope, a continuing commitment from Garland Publishing to produce works in media history. Weaver and Wilhoit's study of journalists, while not historical in nature, should prove itself a valuable source for future historians.

Hudson's *Mass Media* provides a list of events in the fields of books, broadsides, pamphlets, newspapers, magazines, motion pictures, radio, and television from 1638 to 1985. A narrative, ranging in length from one line to three pages, is included with each item. The items have been gleaned from historical works and other reference sources. An index cross-listing topics will help the reader locate material on various subjects. A professor of journalism at Michigan State University, Hudson describes his encyclopedia as a "comprehensive, detailed quick-reference source."

Because of the superficial nature of entries imposed by space limitations of such a work, it will, unfortunately, be of limited practical value to the historian doing serious research. Perhaps, however, it might provide a starting point for undergraduate student research. Indeed, the idea for this work apparently grew out of Hudson's lament about there not being such "a similar quick reference source of the mass media while [he] was a student!" We must lament ourselves, howev-

er, that it may encourage students to accept many of the most obvious problems in the study of media history. The introductory historical narrative is written in a jerky and sometimes labored style, the timeline is frequently confusing, cliches and factual errors abound, and unexplained statements dot every page. The recent past receives an unbalanced emphasis, with, for example, twice as many pages devoted to events of the last twelve years as to the first 100 years. With its implied underlying theme of the inexorable growth of the media, it also leaves the impression that the value of the study of history is in the inevitable story of advance to the present. In fact, we study history to understand the past in terms of its own time.

Taft's encyclopedia includes 750-plus biographies, ranging in length from six or so lines to two pages. Despite the "twentieth-century" period indicated in the title, the entries focus on post-World War II figures. Each biography provides an economical statement of interesting basic facts and career highlights. The alphabetical arrangement by surname makes it convenient to locate individuals. Despite the brevity of the entries, the writing flows smoothly.

Overall, the work seems well-conceived and executed, although there are bound to be readers who will quibble with some of Taft's selections and omissions. Why, for example, in the sketch of Jenkin Lloyd Jones is there no reference to the fact that he coined the term "Afghanistanism" for editorials dealing with distant topics, the contribution for which he probably is best known? Why is there not some indication that John Hart, the cartoonist who is included (and why isn't the latter included)? Of more substantial concern than these omissions, however, is the decision not to include references to sources from which each biography was gathered. Such information would have been invaluable to any historian. Despite such shortcomings, historians must admire the amount of effort that Taft, a retired University of Missouri journalism professor, put into gathering mountains of details. He has made a valuable contribution to our field.

Weaver and Wilhoit's study already has received considerable notice for the data it provides about the contemporary scene. It should be of substantial value when historians begin to research the 1980s. To gather information for the study, the University of Indiana journalism professors conducted telephone interviews with 1,001 practicing journalists. To provide a longitudinal portrait, they compared their findings to those of a similar 1971 study. Historians and journalists should find the comparisons interesting. However, they should be cautious in accepting the authors' conclusions, recognizing that the data are open to varying explanations. One example: Based on the fact that only twenty percent of the respondents said the media's role as an adversary of government is "extremely important," the authors conclude that the "adversary role [is] a distinctly minority view among American journalists." Before we can accept that conclusion, we would find it helpful to know what percentages of the respondents stated that the adversary role is "quite important" or "somewhat important" (two of the remaining three possible responses), information which the authors do not include. We also

would be interested in knowing more about the basis on which the authors conclude that the role to "investigate government claims" (which sixty-six percent of respondents said was "extremely important") is unrelated to the media's adversarial approach to government. Despite such questions, future historians will find a wealth of data in the book's pages.

Even though the book is a contemporary study, the authors state that it is concerned with the "*historical* and social origins" (emphasis added) of the journalism profession. To fulfill the historical purpose, they have included a prefatory chapter titled "A Historical View of the Journalist." This chapter was begun by the late dean of the Indiana School of Journalism, Richard Gray, and completed by writers other than the book's two co-authors. It is interesting as an attempt, albeit a superficial one, to provide a historical perspective on changes in the status of and attitude toward the working journalist. We say "superficial" because it relies mostly on poorly chosen secondary sources rather than on primary ones. Among secondary sources, it refers to Ted Curtis Smythe's 1980 article in *Journalism History* ("The Reporter, 1880-1900") only for a detail on reporter salaries and omits Jack Hart's 1976 *Journalism Quarterly* article "Horatio Alger in the Newsroom: Social Origins of American Editors." Those are two of the most detailed, satisfying historical works on the subject addressed by this book, but they are overlooked in favor of such general works as Frank Luther Mott's textbook, *American Journalism*. The limited research conducted by the chapter's authors is evident also in a number of factual historical errors, such as the one that George Wisner was a "veteran London police reporter" before joining the New York *Sun* in 1833. That error has been corrected in at least two articles appearing in *Journalism History*, but the chapter authors' rely on Emery and Emery's uncorrected *The Press and America* for their information. Statements such as those that "muckraking" journalists practiced in the 1890s, rather than in the early 1900s, also leave the reader wondering whether the chapter might have been just as well omitted. If one can overlook such faults, however, this book will be found quite useful.

Wm. David Sloan
University of Alabama

Labor's New Voice: Unions and the Mass Media. *By Sara U. Douglas.* Norwood, N.J.: Ablex Publishing Corp., 1986. 310 pp.

This book is an important contribution for those of us who wonder what the union movement is doing to stop the drop in membership taking place both in and out of the newspaper industry. According to Sara U. Douglas, one of the reasons for the decline is the strong anti-union bias that exists no only with business and professional people but in the press itself due to owner bias and reporter

ignorance. Despite early supporters of newspaper unions such as Horace Greeley and William Cullen Bryant, most of the today's publishers and working press do not always portray unions accurately. They contribute, Douglas argues, to the public's disapproval of unions.

Rather than dwell on this negative view, Douglas provides a detailed account of how some unions have come to grips with a the problem. In the tradition of Big Business which adopted the Ivy Lee techniques at the turn of the century, forward-thinking unions are now engaged in public relations through film, advertising, and radio as well as print. Labor's formerly aloof attitude toward the media has changed to participation and advocacy shaped by labor's evolving goals and objectives. In seven lengthy and occasionally tedious chapters, Douglas describes and analyzes the labor position by considering historical trends from the founding of the *Mechanic's Free Press*, the first labor newspaper in 1828, through the foundations of the AFL-CIO public relations, to the 1980s.

Douglas also discussed the wide range of factors that have shaped the media-labor relationship and specific cases in which the alliance was maintained during periods of labor-management conflict. Three major media campaigns described are the United Farm Workers grape strike for which Cesar Chavez gained support of public figures including the Kennedy family; the Amalgamated Clothing Workers of America Farah Pants Boycott in El Paso cast in terms of general human rights issues; and the carefully planned and targetted advertising, radio, and television spots for the United Labor Committee, Missouri Right-to-Work Amendment.

Other chapters discuss the public relations techniques of selected international labor unions including the International Ladies' Garment Workers Union; United Automobile, Aerospace and Agricultural Implement Workers of America; International Association of Machinists and Aerospace Workers; American Federation of State, County and Municipal Employees; as well as the J.P. Stevens Co. case illustrating a multifaceted campaign.

Conspicuous by its absence in this alphabet soup of unions is the Newspaper Guild organized in 1933 by New York newspaper columnist Heywood Broun. The guild gets only one mention in 310 pages of commentary. No so neglected is an important chapter on media access. It has implication not only for unions but for other minorities and organizations overlooked by the media and convuluted interpretations of the First Amendment tilted toward marketplace economics instead of the marketplace of ideas.

Douglas' study is less a history of the labor press than it is a discussion of a series of successful public relations case histories describing unions grappling with the growing media monopoly and the unwarranted fear of worker organization and collective bargaining. It is important for historians of the free press to read because it tells how an overlooked and often misunderstood institution continues to struggle against the accumulation of power by trying to return checks and balances to a business concentrating primarily on the checks.

Alf Pratte
Brigham Young University

Privacy in a Public Society: Human Rights in Conflict. *By Richard F. Hixon.* New York: Oxford University Press. 1987. 255 pp. Index. Cloth, $19.95.

Ironic tension surrounds the debate between the advocates of privacy and disclosure. Richard F. Hixon pursues this irony in a philosophical , historical, sociological, and legal exploration of the history of the rationales behind privacy. His book about the zones of privacy is intriguing and troubling.

Arguing that privacy is a natural, human penchant, Hixon departs, however, from the position that privacy is a natural right in the spirit of John Locke's contention that a natural right inheres in the person, not the state. Rather, Hixon arrives at the Borkian conclusion that privacy is a right created by the community and bestowed upon the individual. Hixon's ideas were tested by the unsuccessful Supreme Court nominee Robert Bork, whose nomination failed partially on the point that he could not find privacy in the Constitution.

Nevertheless, Hixon's arguments possess some value for the privacy debate agenda. "Privacy has its price!" he writes, and argues eloquently that humans need companionship and disclosure as much as solitude and isolation. He emerges in agreement with media critics who have condemned secrecy scams that operate under the guise of privacy as a natural right.

Hixon assigns equal value to desire for privacy and desire for community but believes that the urge to share and disclose information is shorter lived in practice than the urge to confidentiality and secrecy. Thus, he believes that the state through legislation must be the preserver of privacy and disclosure because the individual is prone to the confidentiality-secrecy continuum. The question arises, however: Who will ensure that the community will be a better arbitor of privacy than the individual who believes in privacy as a natural right? That is the heart of the ironic tension inherent in the issue.

In the first chapter of the book, Hixon outlines the beginnings of privacy from its Biblical, classical, and later Christian origins but neglects the contributions of the Catholic branch of Christianity. Readers can enrich their understanding of this section of the book by considering Thomas Aquinas and the work of Kenneth B. Moore about the Catholic doctrine of detraction, the sin of blackening a person's name by disclosing a true but secret sin.

Detraction is a progenitor of the public disclosure privacy tort, which provides a remedy for disclosure of true, embarrassing, and previously little known information, sinful and non-sinful. Public disclosure lies at the heart of *Cox Broadcasting v. Cohn*, the 1975 Georgia case which Hixon disagrees with. His posi-

tion will give many readers difficulty because he suggests that the community and the individual will be best served if the names of dead rape victims are not disclosed by the media.

Hixon writes this prescription for the tension between privacy and disclosure: "It is that sense of community, coupled with an equally strong sense of individualism, that perhaps can serve as a frame for the ... preservation of personal privacy."

Privacy in a Public Society provokes thoughtful consideration of privacy, its origins, and its future.

Charles H. Marler
Abilene Christian University

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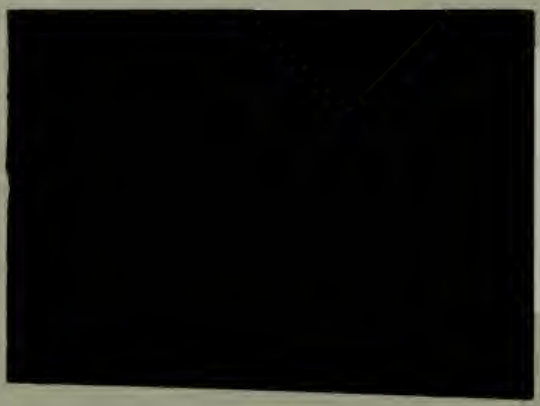

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FROM THE EDITOR

This issue of *American Journalism* contains the historical works deemed the three best submitted ot the 1987 paper competition of the American Journalism Historians Association, which sponsors publication of *American Journalism.*

After these three papers had been selected through blind judging, a special board of editors for *American Journalism* examined them. Authors used the editors' comments and suggestions, along with those of the original paper judges, in writing, revised, final versions for publication.

"Little Ado About Something": Philadelphia Newspapers and the Constitutional Convention

by Carol Sue Humphrey

> "That no copy be taken of any entry on the journal during the sitting of the House without leave of the House.
> "That members only be permitted to inspect the journal.
> "That nothing spoken in the House be printed, or otherwise published or communicated without leave."[1]

With these three resolutions adopted on May 29, 1787, the members of the Constitutional Convention declared that their debates and discussions would be closed to the public. Most of the delegates either agreed with the secrecy rule or did not care what was done concerning the issue.[2] The few who strongly disagreed with the measures quickly found they lacked support for their opposition.[3] Promoters argued that privacy would enable the delegates to speak their minds without fear of being held to their words at a later date -- a totally free atmosphere for discussion would produce benefits in the final results of the Conven-

CAROL SUE HUMPHREY (PH.D, North Carolina) is an assistant professor of history at Oklahoma Baptist University. She has authored several articles on newspapers during the American Revolutionary era.

[1]James Madison, *Notes of Debates in the Federal Convention of 1787* (Athens, Ohio: 1966), p. 28; Max Farrand, ed., *The Records of the Federal Convention of 1787*, Rev. ed., 4 vols. (New Haven, 1937), I:15.

[2]For example, see Nathaniel Bouton, *et. al.*, eds., *State Papers of New Hampshire*, 40 vols. (Nashua and elsewhere, 1870-1895), VI:355.

[3]The best minutes of the Convention are those made by James Madison. He does not indicate that there was active opposition at the time the restrictions were adopted. However, in later months, several delegates expressed dislike for the secrecy rule. Luther Martin of Maryland stated publicly his misgivings concerning the gag rule after he had withdrawn from the Convention. Also after withdrawing from the Convention, John Lansing and Robert Yates of New York broke the secrecy rule when they told Governor George Clinton that the delegates were exceeding their instructions. William Paterson of New Jersey, a delegate who remained in the Convention, also expressed discontent with the gag rule because he wished to confer with his constituents before the final vote. During the ratification struggle, the Antifederalists also severely criticized the Convention's decision to operate in secret. Charles Warren, *The Making of the Constitution* (New York, 1937 (1928)), pp. 137-138, 354, 761; Carl Van Doren, *The Great Rehearsal: The Story of the Making and Ratifying of the Constitution of the United States* (New York, 1948), pp. 124-125, 231.

tion.[4]

The agreement concerning the confidentiality of debates pledged all the delegates to withhold all information about the Philadelphia meeting. Correspondence from the summer months of 1787 substantiates the widespread adherence to the gag order. Occasionally, something specific would slip out in a letter, but, by and large, the members fulfilled their promise. James Madison even refused to reveal any details to his close friend and mentor, Thomas Jefferson. If a modern historian attempted to piece together the actions of the Convention based only on the contemporary written communication of the delegates, the result would be an almost nonexistent description.[5]

Because of the secrecy rule, the debates of the Philadelphia meeting did not appear in the newspapers. Historians of the Constitution and of American journalism have often commented on the absence of materials in the press concerning the Convention and also the failure of the printers to complain about the total lack of information coming out of the meeting. Most historians have assumed that the pressmen agreed that confidentiality was necessary for the Convention to succeed, and, therefore, they did not disapprove of the secrecy rule.[6]

[4]Clinton Rossiter, *1787: The Grand Convention* (New York, 1966), pp. 167-168; Charles Warren, *Making of the Constitution*, pp. 134-138; Max Farrand, *The Framing of the Constitution of the United States* (New Haven, 1913), p. 58; Donald Barr Chidsey, *The Birth of the Constitution* (New York, 1964), p. 40; Richard B. Morris, *Witnesses at the Creation: Hamilton, Madison, Jay, and the Constitution* (New York, 1985), pp. 198-199; Robert Middlekauf, *The Glorious Cause: The American Revolution, 1763-1789* (New York, 1982), p. 628; Jack N. Rakove, *The Beginnings of National Politics: An Interpretive History of the Continental Congress* (Baltimore, 1979), p. 399; John Tebbel, *The Media in America* (New York: 1982), pp. 61, 71; Carl Van Doren, *The Great Rehearsal*, pp. 28-29.

[5]Farrand, *Records of the Federal Convention*, III:28, 33, 35, 48, 51, 59, 71-73, 86, 479, IV:65, 73; Warren, *Making of the Constitution*, pp. 135, 139; Morris, *Witnesses at the Creation*, pp. 198-199; Rossiter, *1787*, pp. 168-169; Catherine Drinker Bowen, *Miracle at Philadelphia* (Boston, 1966), pp. 22, 98; John P. Roche, "The Founding Fathers: A Reform Caucus in Action," *American Political Science Review*, 55(1961):803-804; Esmond Wright, *Fabric of Freedom, 1763-1800* (New York, 1961), p. 176; Van Doren, *The Great Rehearsal*, pp. 28-29; Julian P. Boyd, *et.al.*, eds., *The Papers of Thomas Jefferson.* 20 vols. to date (Princeton, 1950-1982), XI:600, XII:69.

In fact, the journal of the Constitutional Convention was not published until 1819. After its appearance, other reports of the Convention's proceedings appeared. Farrand, *Framing of the Constitution*, p. 59; Max Farrand, "The Records of the Federal Convention," *American Historical Review*, 13 (1907): 44-65.

[6]Robert A. Rugland, *The Newsmongers; Journalism in the Life of the Nation, 1690-1972* (New York, 1973), p. 57; Frank Luther Mott, *American Journalism: A History, 1690-1960*, 3rd ed. (New York, 1962), p. 119; Sidney Kobre, *Development of American Journalism* (Dubuque, Iowa, 1969), p. 105; Rakove, *Beginnings of National Politics*, p. 399.

While this assumption concerning the printers may be true, it does not mean that the newspapers totally ignored the Philadelphia meeting. The Constitutional Convention was the major American news event of the summer of 1787 -- no newspaper could totally ignore it. One scholar, Charles Warren, stated that the news sheets did not ignore the meeting. In fact, Warren declared that the amount of space devoted to the Convention and its members provides an indication of the public faith in the meeting's possible outcome.[7] Warren's conclusions, however, were not supported by a detailed investigation of the newspapers published in the summer of 1787. Because of this missing data, Warren provided no clear indication as to exactly how much column space was allocated to discussion of the actions of the Constitutional Convention or what types of materials appeared in the gazettes. This article proposes to fill that gap through a study of the Philadelphia newspapers. Because the Convention met in Philadelphia, the local news sheets would have been the most likely to publish pertinent information concerning the meeting.[8]

The Philadelphia newspapers discussed a variety of topics in their coverage of the Constitutional Convention. Included among these were the names and qualifications of the delegates, when sessions occurred, hopes for the meeting's results, and the decision to meet in secret.

All of the gazettes expressed interest in who attended the Convention. Several made note of who arrived in town for the meeting. All of them published a list of the entire membership of the Convention once it had officially convened.[9] Along with the lists of who took part, the printers listed the qualifications of the delegates. The *Independent Gazetteer* portrayed them as "temperate and very respectable men"[10] and praised them as "men who are qualified from education, experience and profession for the great business assigned to them."[11] The publishers of the *Pennsylvania Packet* tried to relieve any fears their readers might harbor by describing the members as "men in whom you may confide" because "their extensive knowledge, known abilities, and approved patriotism, warrant it."[12] Several papers gloried in the fact that "the same hands that laid the founda-

[7]Warren, *Making of the Constitution*, pp. 91, 138-139.

[8]During the four month period the convention met, nine papers appeared in Philadelphia. Seven of these nine are included in this article.

[9]*Independent Gazeteer*, May 1, 16, June 1, 1787; *Pennsylvania Packet*, May 14, 15, 17, 19, 30, 31, June 15, 25, July 21, 1787; *Pennsylvania Evening Herald*, May 2, 19, 30, 1787; *Pennsylvania Mercury*, May 4, 18, 1787; *Pennsylvania Journal*, May 23, 30, June 2, 16, August 22, 1787; *Pennsylvania Gazette*, July 25, August 22, 1787; *Freeman's Journal*, June 20, 1787.

[10]*Independent Gazetteer*, June 13, 1787. Also published in the *Freeman's Journal*, June 20, 1787.

[11]*Independent Gazetteer*, June 27, 1787. Also published in the *Pennsylvania Packet*, June 28, 1787; *Pennsylvania Mercury*, June 29, 1787; *Pennsylvania Journal*, June 30, 1787.

[12]*Pennsylvania Packet*, June 27, 1787.

tions of the Temple of Liberty, are again employed in this arduous task. . . ."[13] As the Convention began to meet, several publications commented that

> the punctuality with which the members of the Convention assemble every day at a certain hour, and the long time they spend in the deliberations of each day (sometimes seven hours) are proofs, among other things, how much they are entitled to the universal confidence of the people of America. Such a body of honest and enlightened men perhaps never before met for political purposes in any country upon the face of the earth.[14]

Although the Philadelphia press heaped praise on all the delegates, they reserved their special commendations for the Convention's president, George Washington.[15] Several publications stated that Washington's presence alone provided reason for hope and confidence in the meeting's results:

> Who can read or hear that the immortal WASHINGTON has again quitted his beloved retirement, and obeyed the voice of God and his country by accepting the chair of this illustrious body of patriots and heroes, and doubt of the safety and the blessing of the government we are to receive from their hands?[16]

The original report of his plans to attend the meeting made one contributor happy because "this great patriot will never think his duty performed, while anything remains to be done."[17] Many writers assumed that "a WASHINGTON, surely will never stoop to tarnish the lustre of his former actions, by having an agency in anything capable of reflecting dishonor on himself or his countrymen."[18] The *Pennsylvania Gazette* summed up the feelings of almost everyone in its congratulatory message to Washington for his success as Convention president:

> How great ... must be the satisfaction of our late worthy Commander in Chief, to be called upon a second time, by the suffrages of three millions of people, to save his sinking country? -- In 1775, we behold him at the head of the armies of Ameri-

[13]*Independent Gazetteer*, June 16, 1787. Also published in the *Pennsylvania Journal*, June 16, 1787; *Pennsylvania Gazette*, June 20, 1787.

[14]*Pennsylvania Gazette*, August 22, 1787. Also published in the *Pennsylvania Journal*, May 16, 26, August 11, 1787; *Freeman's Journal*, May 16, 1787; *Pennsylvania Packet*, May 14, August 4, 1787.

[15]*Independent Gazetteer*, May 12, 14, 1787; *Pennsylvania Journal*, May 16, 26, August 11, 1787; *Freeman's Journal*, May 16, 1787; *Pennsylvania Packet*, May 14, August 4, 1787.

[16]*Independent Gazetteer*, May 30, 1787; *Pennsylvania Gazette*, May 30, 1787; *Pennsylvania Journal*, May 30, 1787.

[17]*Pennsylvania Evening Herald*, May 12, 1787.

[18]*Pennsylvania Packet*, August 23, 1787.

> ca, arresting the progress of British tyranny. -- In the year 1787, we behold him at the head of a chosen band of patriots and heroes, arresting the progress of American anarchy, and taking the lead in laying a deep foundation for preserving that liberty by a good government, which he had acquired for his country by his sword. Illustrious and highly favored instrument of the blessings of Heaven to America -- live -- live for ever![19]

Alongside their praise for the delegates who attended the Philadelphia assembly, the newspapers made a point of severely chastising any who failed to attend when requested to do so. They particularly criticized Rhode Island for its failure to send anyone at all.[20] Several writers assumed that this action meant that Rhode Island was no longer a member of the Union and that, should she request readmittance, it would be refused.[21] A correspondent of the *Pennsylvania Packet* saw Rhode Island's lack of representation as an occasion for joy because "her delinquency will not be permitted to defeat the salutory object of this body. . . ."[22]

Along with discussions of the state delegations, the Philadelphia newspapers published information concerning when sessions took place. They reprinted the Congressional call for a meeting just prior to the opening of the Convention.[23] They made comments about the preliminary meetings early in May and noted when a quorum appeared so that formal deliberations could begin.[24] All of the newspapers announced the official convening of the meeting on May 25 and the subsequent election of George Washington as president and William Jackson as secretary.[25] They reported the one-week recess in early August for the purpose of formalizing the work of the Convention as well as the resumption of consideration of the final product.[26] Finally, all of the Philadelphia papers jubilantly pro-

[19]*Pennsylvania Gazette*, August 22, 1787. Also published in the *Pennsylvania Journal*, August 25, 1787.

[20]*Pennsylvania Packet*, May 19, July 12, 30, 1787; *Independent Gazetteer*, May 22, June 6, 1787; *Pennsylvania Gazette*, May 23, August 1, 1787; *Pennsylvania Journal*, May 23, 1787.

[21]*Pennsylvania Gazette*, May 2, 1787; *Pennsylvania Evening Herald*, June 9 1787.

[22]*Pennsylvania Journal*, May 30, 1787. Also published in the *Pennsylvania Packet*, June 5, 1787.

[23]*Independent Gazetteer*, May 11, 1787; *Pennsylvania Packet*, May 12, 16, 1787; *Pennsylvania Journal*, May 12, 1787.

[24]*Pennsylvania Packet*, May 15, 16, 28, 30, 1787; *Pennsylvania Evening Herald*, May 16, 1787; *Pennsylvania Journal*, May 16, 30, 1787; *Independent Gazetteer*, May 26, 1787.

[25]*Pennsylvania Packet*, May 31, 1787; *Pennsylvania Evening Herald*, May 30, 1787; *Pennsylvania Mercury*, June 1, 1787.

[26]*Pennsylvania Evening Herald*, July 25, August 8, 15, 1787; *Pennsylvania Packet*, July 27, 30, 31, August 14, 1787; *Independent Gazetteer*, July 28, 1787; *Pennsylvania Journal*, July 28, August 1, 15, 1787; *Pennsylvania Gazette*, August 1, 15, 1787; *Pennsylvania Mercury*, August 3, 10, 17, 1787.

claimed the final adjournment and printed in full the proposed Constitution.[27]

Items concerning who attended and when the Convention met constituted the only specific information which the newspapers published. The rule of secrecy proved almost totally inviolable. Beyond the more mundane matters of who and when, the press could only speculate or ignore the whole thing. Printers did not desire to do the latter, so they attempted the former. Most of the guesses in the newspapers between May and September 1787 consisted primarily of hopes and worries about the importance of the Convention and its possible results.

The newspapers of Philadelphia clearly considered the meeting in their town to be important. On several occasions they emphasized the problems with the current government structure.[28] Having been "formed amidst the confusions of war," the current system had proven inadequate for the needs of the country.[29] The *Pennsylvania Packet* summed up the feelings of many concerning the present form of government in its reprint of an essay from Baltimore:

> The articles of confederation were made for the temporary purposes of a war; they were as wisely drawn as the situation of the country would permit; for pressed by danger on every side, an immediate defence was uppermost in our minds, and our attention was naturally absorbed by objects of magnitude that surrounded us, while only time and reflection, could make us acquainted with more important ones at a distance....The confederation, that appeared so perfect in its original state, is become a loose, incomplete agreement, totally inconsistent with its own principles. . . .[30]

Printers expressed some concerns about the weaknesses of the Articles of Confederation, but they more frequently discussed possible outcomes of the Convention.[31] High hopes and expectations for the results and their impact on America's

[27]*Pennsylvania Gazette*, September 5, 19, 1787; *Pennsylvania Packet*, September 6, 15, 18, 1787; *Pennsylvania Evening Herald*, September 8, 18, 1787; *Independent Gazetteer*, September 18, 1787; *Pennsylvania Journal*, September 19, 1787; *Freeman's Journal*, September 19, 1787; *Pennsylvania Mercury*, September 21, 1787.

[28]*Pennsylvania Packet*, May 16, 17, June 6, 20, 1787; *Pennsylvania Evening Herald*, May 16, August 25, 1787; *Independent Gazetteer*, May 16, August 22, 1787; *Pennsylvania Mercury*, May 18, August 24, 1787; *Pennsylvania Journal*, June 6, August 25, 1787.

[29]*Independent Gazetteer*, May 30, 1787; *Pennsylvania Gazette*, May 30, 1787; *Pennsylvania Journal*, May 30, 1787.

[30]*Pennsylvania Gazetteer*, May 30, 1787. Also published in the *Freeman's Journal*, May 30, 1787.

[31]*Pennsylvania Packet*, May 11, 17, 18, 21, June 14, 25, July 16, 19, August 13, 15, 15, 18, 20, 31, September 1, 1787; *Pennsylvania Evening Herald*, May 9, 16, 19, June 23, September 1, 1787; *Pennsylvania Journal*, May 12, 19, 30, June

future abounded in the newspapers that summer. The *Pennsylvania Gazette* proclaimed that "under such a Government as will probably be formed by the present Convention, America may yet enjoy peace, safety, liberty, and glory."[32] Several news sheets noted that "the eyes of the whole continent" turned toward Philadelphia.[33] One writer commented that "every enterprize, public as well as private, in the United States ... seems suspended," awaiting the outcome of the Convention.[34] Many publishers commented that the meeting was "perhaps the last opportunity which may be presented to us of establishing a permanent system of Continental Government; and, if this opportunity be lost, it is much to be feared that we shall fall into irretrievable confusion."[35] Several printers realized the Convention constituted a new political innovation -- a revolution of sorts, "accomplished by reasoning and deliberation; an event that has never occurred since the formation of society. . . ."[36]

The Philadelphia news sheets also showed a strong interest in and hopes for the results of the Convention through their coverage of the Fourth of July celebrations that year. They gave considerable space to the rounds of toasts offered at the various fetes throughout the country. Some remembrance of the meeting then going on in Philadelphia appeared in almost all of the celebrations.[37] All of the toasts expressed hope for a good outcome, "a solid and happy government"[38] that would "convince the world that a popular government may last forever."[39]

As this toast indicates, many people, including the printers, exhibited awareness of a worldwide interest in the doings in Philadelphia that summer.[40] Some

27, July 18, August 22, 1787; *Pennsylvania Mercury*, May 18, 1787; *Independent Gazetteer*, May 19, 30, June 7, 23, 27, July 18, 27, August 17, September 1, 1787; *Pennsylvania Gazette*, May 23, 30, August 15, 22, September 5, 1787.

[32]*Independent Gazetteer*, May 30, 1787; *Pennsylvania Gazette*, May 30, 1787; *Pennsylvania Journal*, May 30, 1787.

[33]*Independent Gazetteer*, August 7, 1787. Also published in the *Pennsylvania Gazette*, August 8, 1787.

[34]*Pennsylvania Gazette*, August 29, 1787.

[35]*Freeman's Journal*, May 16, 1787. Also published in the *Pennsylvania Packet*, June 21, 1787; *Pennsylvania Gazette*, June 13, 1787.

[36]*Pennsylvania Evening Herald*, June 20, 1787. Also published in the *Pennsylvania Packet*, June 21, 1787; *Pennsylvania Journal*, June 23, 1787. See also *Pennsylvania Gazette*, September 5, 1787; *Pennsylvania Packet*, September 6, 1787; *Pennsylvania Evening Herald* September 8, 1787.

[37]*Pennsylvania Packet*, July 6, 11, 16, 18, 20, 23, 31, August 1, 1787; *Independent Gazetteer*, July 10, 13, 14, 16, 17, 18, August 4, September 5, 1787; *Pennsylvania Gazette*, July 18, 1787; *Pennsylvania Evening Herald*, September 5, 1787.

[38]*Pennsylvania Packet*, July 12, 1787.

[39]*Pennsylvania Packet*, July 23, 1787.

[40]*Independent Gazetteer*, May 16, 1787; *Pennsylvania Gazette*, June 6, 1787; *Pennsylvania Packet*, June 6, 1787; *Pennsylvania Mercury*, June 22, 1787; *Pennsylvania Journal*, September 15, 1787.

worried that all of Europe watched, concluding that the United States were "falling to pieces, and will soon repent of ... independence."[41] Others assumed that the establishment of a stable government in the United States would produce a massive emigration of "oppressed and persecuted" people searching for a better life.[42]

Along with all the hopes for the future, the newspaper printers also worried about those who would oppose the proposed changes. The most obvious group of people who would not favor a new system were current officeholders.[43] Several publishers warned their readers against such "tyrants"[44] who, with "narrow minds, or selfish views," would oppose anything that threatened their position.[45] The *Pennsylvania Gazette* "feared they will use every artifice to overthrow that glorious fabric which the united wisdom of our great master builders are about to erect."[46]

The Philadelphia news sheets expressed both hopes and worries concerning the results of the Convention, but they contained little criticism of its closed debates. Most of the discussion about the secrecy rule consisted of statements concerning its existence and adherence to it by the delegates.[47] The printers did not chastise the Convention for its action; they only urged them to act quickly so that the people's curiosity would be satisfied.[48] In fact, one essay considered the confidentiality of the Convention a good sign: "The profound secrecy hitherto observed by the convention, we cannot help considering as a happy omen, as it demonstrates that the spirit of party, on any great and essential point, cannot have arisen to any great height."[49]

As indicated here, the Philadelphia gazettes discussed many topics relating to the Constitutional Convention, but the presence of variety did not translate into

[41]*Independent Gazetteer*, May 16, 1787; *Pennsylvania Evening Herald*, May 16, 1787; *Pennsylvania Journal*, May 16, 1787; *Pennsylvania Gazette*, May 16, 1787. Also published in *Pennsylvania Mercury*, May 18, 1787; *Pennsylvania Packet*, May 18, 1787.

[42]*Independent Gazetteer*, August 22, 1787. Also published in *Pennsylvania Journal*, August 25, 1787. See also *Pennsylvania Journal*, September 15, 1787.

[43]*Independent Gazetteer*, June 20, 1787; *Pennsylvania Packet*, August 8, September 12, 1787.

[44]*Pennsylvania Gazette*, August 22, 1787. Also published in *Pennsylvania Packet*, August 23, 1787; *Pennsylvania Mercury*, August 24, 1787; *Pennsylvania Journal*, August 25, 1787.

[45]*Independent Gazetteer*, June 26, 1787. Also published in the *Pennsylvania Mercury*, June 27, 1787.

[46]*Pennsylvania Gazette*, August 22, 1787.

[47]*Independent Gazetteer*, May 19, June 16, 22, 1787; *Pennsylvania Packet*, June 23, July 19, 27, 1787; *Pennsylvania Gazette*, July 18, 25, 1787; *Pennsylvania Evening Herald*, July 21, 1787; *Pennsylvania Journal*, July 21, 1787.

[48]See, for example, *Pennsylvania Evening Herald*, June 2, 1787.

[49]*Pennsylvania Packet*, August 22, 1787.

quantity. In fact, the actual amount of space allotted to the meeting constituted a minor part of the materials published in the press during the summer of 1787. The average for all the newspapers was 7%. The average monthly amount generally hovered between 2% and 5%. One paper, the *Freeman's Journal*, printed nothing during July and August. If interest was high in the Convention's doings, the amount of information contained in the Philadelphia news sheets did not indicate it (See Tables 1-8 for a summary of the amount of materials published, May-September 1787).

These figures indicate that the Philadelphia press abided by the Convention's secrecy rule. Newspapers published little of real substance while the meeting was in progress. It seems clear that, even if they had desired to print all the details, they could not because their usual sources of information had dried up. No real news for public consumption came out of the Convention. Yet the newspaper printers did not complain.

For someone from a generation that has witnessed screams of protest whenever the press has been barred from an important public event, such as the United States' invasion of Grenada, the lack of complaints from the Philadelphia printers seems strange and almost disquieting. Why the lack of protest to the Convention secrecy rule? Most modern commentators have assumed they did not say anything because they did not think they had the right. The right to publish legislative debates was not firmly established. However, summaries of assembly sessions had appeared for several years.[50] Also, several states had public galleries in their state assembly rooms. These allowed access for anyone to listen to the debates, and some accounts appeared after being recorded by a printer.[51] Detailed reports of the doings of the United States Congress appeared in the newspapers from the first sessions in March 1789.[52]

In Pennsylvania, the 1776 Constitution provided for the immediate publication of legislative debates.[53] Although the provision was not always strictly followed, newspapers did publish reports of Assembly discussions and actions from time to time.[54] In fact, several gazettes carried detailed accounts of the spring 1787

[50]Bernard A. Weisberger, *The American Newspaperman* (Chicago 1961), p. 57. A general perusal of the newspapers of the pre-Revolutionary era indicates that summaries of legislative debates and actions appeared from time to time, but never on a consistent basis.

[51]*Pennsylvania Packet*, June 11, 1787.

[52]For example, see *Independent Gazetteer*, April 13, 1789, ff; *Freeman's Journal* April 15, 1787, ff; *Pennsylvania Mercury*, April 16, 1789, ff; *Pennsylvania Packet*, April 18, 1789, ff; *Pennsylvania Gazette*, April 22, 1789, ff.

[53]Franklin Newton Thorpe, ed., *The Federal and State Constitutions*, 7 vols. (Washington, D.C.: 1909), V:3085-3086; Jackson Turner Main, *The Sovereign States, 1775-1783* (New York: 1973), p. 152.

[54]For example, see *Pennsylvania Gazette*, March 1785; *Pennsylvania Mercury*, March 1785; *Pennsylvania Packet*, March 1785; *Pennsylvania Evening Herald*, February-March 1785.

session of the Pennsylvania legislature.[55] Obviously, Pennsylvania publishers had precedents for printing the daily activities and procedures of the state assembly. Yet, they did not attempt to publish the debates of the Constitutional Convention; they did not complain about the decision to shut the doors. Could it be that the printers agreed with the delegates in assuming that the Convention would have happier results if the members were allowed to debate freely, with no fear of public interference? More research is needed before this assumption can be made, but it is a distinct possibility.[56] Whatever else may be said, it is clear that the printers of Philadelphia did not cover the Constitutional Convention in any detail. In this case, a traditional source of information on the eighteenth century is nonexistent. For details of the Convention, one can only rely on the records and memories of the delegates themselves -- the "fourth estate" was not present.

[55]*Pennsylvania Packet*, February 23, 1787, ff; *Pennsylvania Gazette*, February 28, 1787, ff; *Freeman's Journal*, March 1787, ff; *Pennsylvania Mercury*, March 1787; *Independent Gazetteer*, March 1787; *Pennsylvania Evening Herald*, February 28, 1787, ff.

[56]Personal papers for eighteenth-century printers are extremely scarce. For most printers from this era, business records do not even exist, much less personal papers such as letters and diaries. Only one printer of a Philadelphia newspaper from this era has any known papers in existence. Most of these are business papers, with only a few personal items included. (These personal items concern family matters primarily.) Because of this lack of evidence, most conclusions concerning these printers have to be based only on the materials contained in their newspapers.

Table #1: All Philadelphia papers -- Materials printed, May-September 1787

Month	Essays CR*	Essays NCR*	Poetry CR	Poetry NCR	Gov't Notices CR	Gov't Notices NCR	News CR	News NCR	Advertisements	TOTAL CR
May	3.15%	15.67%	0.14%	1.89%	0.04%	3.35%	1.28%	24.10%	50.39%	4.61%
June	4.25%	14.45%	0.00%	2.08%	0.00%	1.88%	2.21%	26.31%	48.83%	6.46%
July	3.73%	14.65%	0.05%	1.72%	0.00%	2.27%	0.67%	31.29%	45.62%	4.46%
Aug.	3.94%	16.74%	0.03%	2.05%	0.00%	2.14%	1.61%	25.43%	48.06%	5.59%
Sept.	3.98%	10.35%	0.00%	1.23%	8.99%	2.98%	1.04%	24.17%	47.28%	14.01%
Avg.	3.81%	14.37%	0.04%	1.79%	1.81%	2.52%	1.36%	26.26%	48.04%	7.02%

CR = Constitution-Related
NCR= Non-Constitution Related

Table #2: *Freeman's Journal* (Philadelphia) -- Materials printed, May - September 1787

Month	Essays CR	Essays NCR	Poetry CR	Poetry NCR	Gov't Notices CR	Gov't Notices NCR	News CR	News NCR	Advertisements	TOTAL CR
May	1.25%	17.92%	0.00%	1.24%	0.00%	0.00%	0.42%	23.33%	55.83%	1.67%
June	3.65%	14.59%	0.00%	2.61%	0.00%	0.00%	2.08%	29.69%	47.40%	5.73%
July	0.00%	26.56%	0.00%	2.08%	0.00%	0.00%	0.00%	27.61%	43.75%	0.00%
Aug.	0.00%	17.50%	0.00%	0.83%	0.00%	7.08%	0.00%	22.92%	51.67%	0.00%
Sept.	0.00%	11.81%	0.00%	1.39%	18.06%	0.00%	0.69%	15.97%	52.08%	18.75%
Avg.	0.98%	17.68%	0.00%	1.63%	3.61%	1.42%	0.64%	23.90%	50.15%	5.23%

CR = Constitution-Related
NCR= Non-Constitution Related

Table #3: *Independent Gazeteer* (Philadelphia) -- Materials printed, May - September 1787

Month	Essays CR	Essays NCR	Poetry CR	Poetry NCR	Gov't Notices CR	Gov't Notices NCR	News CR	News NCR	Advertisements	TOTAL CR
May	0.93%	11.34%	0.31%	2.70%	0.31%	1.69%	0.62%	25.23%	56.87%	2.17%
June	0.08%	12.74%	0.00%	3.69%	0.00%	0.24%	1.60%	22.92%	58.73%	1.68%
July	0.00%	8.49%	0.24%	1.84%	0.00%	0.96%	0.96%	31.65%	55.85%	1.20%
Aug.	0.46%	17.36%	0.00%	3.09%	0.00%	0.00%	0.39%	22.69%	56.02%	0.85%
Sept.	0.65%	15.37%	0.00%	0.65%	3.52%	0.00%	0.39%	24.35%	55.08%	4.56%
Avg.	0.42%	13.06%	0.11%	2.39%	0.77%	0.58%	0.79%	25.37%	56.51%	2.09%

CR = Constitution-Related
NCR= Non-Constitution Related

Table #4: *Pennsylvania Evening Herald* (Philadelphia) -- Materials printed, May - September 1787

Month	Essays CR	Essays NCR	Poetry CR	Poetry NCR	Gov't Notices CR	Gov't Notices NCR	News CR	News NCR	Advertisements	TOTAL CR
May	0.00%	35.07%	0.52%	1.91%	0.00%	1.74%	1.56%	26.22%	32.99%	2.08%
June	0.00%	38.72%	0.00%	2.26%	0.00%	0.00%	0.87%	23.09%	35.07%	0.87%
July	0.00%	30.86%	0.00%	1.76%	0.00%	3.13%	0.39%	29.88%	33.99%	0.39%
Aug.	0.00%	36.81%	0.00%	2.43%	0.00%	0.00%	0.69%	22.57%	37.50%	0.69%
Sept.	0.00%	21.10%	0.00%	2.54%	3.52%	5.28%	0.98%	19.73%	46.88%	4.50%
Avg.	0.00%	32.51%	0.10%	2.18%	0.70%	2.03%	0.90%	24.30%	37.29%	1.71%

CR = Constitution-Related
NCR= Non-Constitution Related

Table #5: *Pennsylvania Gazette* (Philadelphia) -- Materials printed, May - September 1787

Month	Essays CR	Essays NCR	Poetry CR	Poetry NCR	Gov't Notices CR	Gov't Notices NCR	News CR	News NCR	Advertisements	TOTAL CR
May	2.92%	12.50%	0.00%	0.00%	0.00%	5.00%	2.50%	17.50%	59.58%	5.42%
June	0.00%	8.33%	0.00%	0.00%	0.00%	2.61%	3.64%	26.04%	59.38%	3.64%
July	0.00%	12.50%	0.00%	0.00%	0.00%	5.21%	1.04%	33.86%	47.40%	1.04%
Aug.	0.00%	22.92%	0.00%	0.00%	0.00%	0.00%	5.00%	24.58%	47.50%	5.00%
Sept.	0.00%	11.80%	0.00%	0.00%	12.50%	2.78%	2.78%	26.39%	43.75%	15.28%
Avg.	0.58%	13.61%	0.00%	0.00%	2.50%	2.99%	3.12%	25.67%	51.52%	6.08%

CR = Constitution-Related
NCR= Non-Constitution Related

Table #6: *Pennsylvania Journal* (Philadelphia) -- Materials printed, May - September 1787

Month	Essays CR	Essays NCR	Poetry CR	Poetry NCR	Gov't Notices CR	Gov't Notices NCR	News CR	News NCR	Advertisements	TOTAL CR
May	1.62%	1.85%	0.00%	0.00%	0.00%	8.57%	1.85%	28.24%	57.87%	3.47%
June	0.00%	3.47%	0.00%	0.00%	0.00%	8.56%	4.16%	27.32%	56.48%	4.16%
July	0.00%	10.42%	0.00%	0.00%	0.00%	5.99%	1.30%	27.60%	54.69%	1.30%
Aug.	0.46%	1.16%	0.00%	0.69%	0.00%	7.87%	1.85%	31.02%	56.94%	2.31%
Sept.	0.00%	0.00%	0.00%	0.00%	7.64%	11.81%	0.69%	30.91%	48.96%	8.33%
Avg.	0.42%	3.38%	0.00%	0.14%	1.53%	8.56%	1.97%	29.02%	54.99%	3.91%

CR = Constitution-Related
NCR= Non-Constitution Related

Table #7: *Pennsylvania Mercury* (Philadelphia) -- Materials printed, May - September 1787

Month	Essays CR	Essays NCR	Poetry CR	Poetry NCR	Gov't Notices CR	Gov't Notices NCR	News CR	News NCR	Advertisements	TOTAL CR
May	15.24%	30.08%	0.00%	5.08%	0.00%	5.08%	0.39%	21.88%	22.27%	15.63%
June	25.00%	11.56%	0.00%	3.75%	0.00%	1.25%	2.19%	31.25%	25.00%	27.19%
July	25.78%	10.16%	0.00%	3.52%	0.00%	0.00%	0.00%	34.38%	26.17%	25.78%
Aug.	25.94%	11.88%	0.00%	4.38%	0.00%	0.00%	2.82%	27.81%	27.19%	28.76%
Sept.	27.09%	11.46%	0.00%	1.56%	11.46%	0.00%	1.04%	21.36%	26.04%	39.59%
Avg.	23.81%	15.03%	0.00%	3.66%	2.29%	1.27%	1.29%	27.34%	25.33%	27.39%

CR = Constitution-Related
NCR= Non-Constitution Related

Table #8: *Pennsylvania Packet* (Philadelphia) -- Materials printed, May - September 1787

Month	Essays CR	Essays NCR	Poetry CR	Poetry NCR	Gov't Notices CR	Gov't Notices NCR	News CR	News NCR	Advertisements	TOTAL CR
May	0.06%	0.93%	0.17%	2.26%	0.00%	1.39%	1.62%	26.27%	67.31%	1.85%
June	1.02%	11.72%	0.00%	2.28%	0.00%	0.48%	0.90%	23.86%	59.74%	1.92%
July	0.365	3.55%	0.12%	2.83%	0.00%	0.60%	1.02%	34.02%	57.51%	1.50%
Aug.	0.70%	9.55%	0.23%	2.90%	0.00%	0.00%	0.58%	26.45%	59.61%	1.51%
Sept.	0.10%	0.88%	0.00%	2.44%	6.25%	0.98%	0.69%	30.47%	58.20%	7.04%
Avg.	0.45%	5.33%	0.10%	2.54%	1.25%	0.69%	0.96%	28.21%	60.47%	2.76%

CR = Constitution-Related
NCR= Non-Constitution Related

Advertisements Masquerading as News In Turn-of-the-Century American Periodicals

by Linda Lawson

Reading notices -- disguised paid advertisements appearing in news and editorial columns -- permeated publications in the latter half of the nineteenth century.[1] A number of historians have commented on their widespread use.[2] The notices originally served the financial interests of businesses, advertising agencies, and the press. Businesspeople and advertising agents believed they were more effective than display advertisements in attracting consumers' attention, while publishers accepted them as a lucrative means of generating revenues. Their popularity within the industry, however, declined during the Progressive years for primarily pragmatic reasons, and prominent members of the press and the business and advertising communities began calling for their elimination. This internal opposition may help explain why policymakers, with little debate, were able to enact legislation in 1912 to prohibit disguised advertisements in publications using the second-class postal privilege.

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[1]Contemporaries used the term "reading notices" to denote paid advertisements written like reading matter that appeared in editorial and news columns. Historians, however, often use the terms "readers" and "reading matter" to describe the same practice. Richard S. Tedlow, on the other hand, calls it puffery. *Keeping the Corporate Image: Public Relations and Business, 1900-1950* (Greenwich, Conn., 1979), p. 7. For consistency, this article uses the term "reading notices" to describe advertisements disguised as news. Reading notices must also be distinguished from free publicity -- the practice of editors favorably mentioning advertisers or prospective advertisers in their news columns without compensation. This too was a common practice in the press during this time.

[2]See Daniel Pope, *The Making of Modern Advertising* (New York, 1983), p. 233; Frank Presbrey, *History and Development of Advertising* (Garden City, 1929), p. 462; Silas Bent, *Ballyhoo: The Voice of the Press* (New York, 1927), p. 121; Printers' Ink, *Fifty Years, 1888-1938* (New York, 1938), p. 82; Allan Nevins, *The Emergence of Modern America, 1865-1878* (New York, 1927), p. 242; Ellis Paxon Oberholtzer, *A History of the United States Since the Civil War*, vol. 2 (New York, 1928), pp. 541-542; and Louis M. Hacker and Benjamin B. Kendrick, *The United States Since 1865*, rev. ed. (New York, 1936), p. 695.

Advertisers suffered from self-doubts about the status of their emerging occupation during the last years of the nineteenth century. Frequently referred to as hucksters and shysters, they had little professional pride and even less confidence in their display advertisements.[3] Ironically, publishers came to rely heavily on advertising revenues during this time. The two groups benefitted from business practices they devised together. One such marketing technique was the reading notice. Assuming that people would be more likely to read news stories and editorials than display advertisements, businesses began writing advertisements in the form of news copy. Newspaper and magazine editors agreed to print them for money.

A patent medicine seller -- "Dr." Warner of Warner's Safe Cure -- wrote the first reading notice, according to *Printers' Ink*, a trade journals for advertisers. Using a headline to begin the advertisement, Warner composed a fictional news story and set it in regular newspaper type. Buried within the story was the name of the product, Warner's Safe Cure.[4] Warner used the technique for years. The March 21, 1893, issue of the Chicago *Record* ran one of the reading notices under the headline, "A Dangerous Diet; How Meat May Cause Disease and Even Death." The fourth paragraph revealed the key to long life -- Warner's Safe Cure.

This marketing technique became commonplace in the latter half of the nineteenth century. Businesses advertised their merchandise by writing fake newspaper copy, not mentioning their products until the middle or the end of the story. Often the disguise was obvious. For example, a headline such as "Havana in Ashes" introduced a story about the pleasures of smoking Cuban cigars.[5] Patent medicine firms, in particular, liked to use these notices, often crudely written as testimonials, along with their display advertisements. "Few people were so credulous as not to recognize these paragraphs for what they were," one observer wrote.[6]

Advertising how-to books soon came on the market to instruct businesses on how to use reading notices effectively. *Fowler's Publicity*, a 1,016-page encyclopedia of advertising published in 1900 by a former Boston reporter, asserted that disguising promotions as news stories was the best advertising method. "The direct puff, which everybody knows is a puff, has value," Nathaniel Fowler advised, "but not so much as the puff so mixed with news and information as to appear to be genuine reading matter." Advertisers were told to use several techniques when writing and displaying reading notices: connect prominent names

[3]L.M. Maddox and E.J. Zanot, "The Image of the Advertising Practitioner as Presented in the Mass Media, 1900-1972," *American Journalism*, 2:2 (1985), p. 118. Quentin J. Schultze discusses how the advertising industry sought to improve its image in "'An Honorable Place': The Quest for Professional Advertising Education, 1900-1917," *Business History Review*, 56:1 (1982), pp. 16-32.

[4]Printers' Ink, *Fifty Years*, p. 82.

[5]*Ibid.*

[6]Earnest Elmo Calkins, *Business the Civilizer* (Boston, 1928), pp. 195-96.

with goods and sellers; use statistical information such as the sales volume of the advertised product; and demand that the reading notice's type look like the news columns of the publication. Fowler particularly urged businesses to avoid expressions such as "best," "unequaled," and "unapproached" because "[m]odesty in puff writing is absolutely essential, for anything which is disguised must be more carefully written than that which is not." To illustrate these techniques, Fowler included six pages of examples of effective advertisements disguised as news. The examples ranged from using a weather story to advertise thermometers to writing about a death to promote a particular insurance company.[7]

Advertising trade journals also offered suggestions on how to make reading notices more attractive and profitable. One such innovation was to have several businesses prepare a composite reading notice, advertising different products. *Fame: A Journal for Advertisers* promoted this technique by demonstrating how one notice could advertise twelve businesses.

> Accident to a Well-Known Citizen
>
> Last evening, while our esteemed fellow townsman Mr. Crossgrain, the well-to-do corndealer -- who has the best goods for the lowest price in miles around -- was walking through the busiest part of Main street, intent on viewing the great bargain display at Tape Bros.' big dry goods store, he accidentally slipped on the sidewalk, and fell with such force that he was picked up in a fainting condition. He was carried into Cabinet's well known furniture store, and gently laid upon one of their new air-spring $10 reclining couches, while a messenger ran to the next corner for Mr. Squills, the celebrated druggist, who, seizing a bottle of Plonk's Quick Reviver from a shelf at hand, threw around him the handsome overcoat he bought at Seam's last week, and hurried to the scene of the accident. He immediately felt the stricken man's pulse, timing it by the Jones split-second chronometer which he held in his hand. He then administered some of the Reviver, and sent around to Smith's Reliable Livery Stable for a carriage, in which he conveyed Mr. Crossgrain to his elegant residence on the healthy, dry,

[7]Nathaniel C. Fowler, *Fowler's Publicity: An Encyclopedia of Advertising and Printing and All that Pertains to the Public-Seeing Side of Business* (Boston, 1900), pp. 454-65. Another prolific advertising author, however, did not share this enthusiam for the reading notice. Frank Farrington warned druggists and stationers that country newspapers would "want to publish your picture and tell a few things about your business and also ... ask for fifteen dollars or fifty according to their news and your reputation." These reading notices were not worth ten cents, he added, but "some men are vain enough to pay the amount just to see themselves in print." *Retail Advertising for Druggists and Stationers* (New York, 1901), pp. 60-61.

> sandy-soil property of Emanuel Huggins (who has houses to rent in that salubrious locality from $40 a month up). It was found, on removing the sufferer's right shoe (one of Last's famous $6 Razor Toes), that his ankle had been sprained, so Dr. Splint, the eminent surgeon, was sent for, and he promptly used Lalley's Liniment with good effects. Mr. Crossgrain is said to be rapidly improving, and his chief regret is that during the accident he lost his silk hat -- one of Tox's -- which he says he would not have parted with for $10.[8]

Fame's editor then asked, "Would it not pay to adopt the composite reading notice, so that many might be lightly assessed instead of one paying the whole bill?"

By the 1870s and 1880s, N.W. Ayer & Son, one of the nation's first respected advertising agencies, was sending out many reading notices. Ayer urged businesses and publishers to use them to make advertising more effective. The advertising rate for these notices varied depending on a publisher's relationship with the business or the advertising agency.[9] George P. Rowell, founder of *Printers' Ink* and a leading advertising agent, agreed with Ayer's enthusiastic assessment of reading notices. Noting that "advertising by reading notices has come greatly into fashion," Rowell described various financial arrangements between publisher and advertiser:

> Some publishers make a practice of charging for the standing advertisements according to the scales and putting in the notices gratis. Others, for equally good reasons, charge for the notices according to scale rate, and put the advertisements in gratis. Occasionally a publisher wants pay for both. . . .[10]

At the Boston *Post*, Rowell noted, reading notices cost fifty cents a line, and no discount was given.[11] On the other hand, N.W. Ayer & Son paid the *Christian Herald* $2,400 for 16,000 agate lines of advertising in 1886 with the condition that each line of the reading notices be regarded as two agate lines of advertising.[12]

At first, most reading notices involved nonpolitical advertising -- theater and book reviews, and ordinary products and services. Often publishers received little money for printing them. One business, for example, wanted newspapers in

[8]"The Composite Reading Notices," *Fame*, 6:4 June (1897), p. 153.

[9]Ralph M. Hower, *The History of An Advertising Agency: N.W. Ayer & Son at Work, 1869-1939* (Cambridge, 1939), pp. 444-45.

[10]Quoted in Charles F. Wingate, *Views and Interviews on Journalism* (1875; rep. New York, 1970), pp. 302-03.

[11]George P. Rowell, *40 Years An Advertising Agent, 1865-1905* (New York, 1926), p. 29.

[12]Hower, p. 407.

Richmond, Virginia, to print one display advertisement and one reading notice each week for three weeks in return for a free copy of "our magnificent book, History of the French Revolution; or, a Country without a God."[13] Advertisers sometimes expected reading notices to supplement their display advertisements. One headstone monument company, advertising for salesmen, told a publisher, "Should we decide to place this ad. in your paper, we would expect you, in your local news column, to give us a boost and do your best to help our ad. secure the man we want."[14]

Publishers, eager to please advertisers, usually consented to these arrangements and printed the "canned" editorials and news stories.[15] In New York City, five major newspapers printed reading notices. William Randolph Hearst's *Journal* openly solicited reading notices from theater companies. "Every [theater] manager knew that the *Journal* offered a page advertisement and a Brisbane editorial for a thousand dollars," according to one of Hearst's biographers.[16] A history of the New York *Tribune* reported that the newspaper frequently promoted railroads, mines, and real estate in its news columns.[17] Similarly, the New York *Post* ran reading notices in its news pages, but not as editorials, Allan Nevins observed in his history of the paper.[18] And the New York *World* had a reading notice department with "a commodious suite of offices" on the eleventh floor of the World building, *The Journalist*, a trade journal, noted.[19] Even the New York *Times*, soon-to-be one of the sharpest critics of this advertising technique, received $1,200 for publishing favorable material about the Bell Telephone Company in 1886.[20] Likewise, midwestern newspapers, such as the *Missouri Statesman*, typically blurred the distinction between news and advertisements in the late nineteenth century.[21] *The Journalist* criticized the Cleveland *Plain Dealer* in

[13]*The National Advertiser*, 4:5 (May 15, 1892), p. 84. The business was B.B. Johnson and Co.

[14]Quoted in Nelson A. Crawford, *The Ethics of Journalism* (1924; rep. New York, 1969), p. 14.

[15]Sometimes publishers would tire of the constant demands placed on them by this type of advertiser. One metro daily reported that it "discounted all write-ups and run [sic] only straight advertisements" after dry-goods houses constantly complained about the paper's treatment of reading notices. *The National Advertiser*, 4:6 (June 1, 1892), p. 105.

[16]W.A. Swanberg, *Citizen Hearst: A Biography of W. R. Hearst* (New York, 1961), p. 274.

[17]Henry W. Baehr Jr., *The New York Tribune Since the Civil War* (New York, 1936), p. 36.

[18]Allan Nevins, *The Evening Post: A Century of Journalism* (New York, 1922), p. 431.

[19]*The Journalist*, 15:2 (June 4, 1892), p. 4.

[20]Elmer Davis, *History of the New York Times: 1851-1921* (New York, 1921), pp. 311-22.

[21]William H. Taft, *Missouri Newspapers* (Columbia, 1974), p. 95.

1891 for putting "so many advertisements and paid reading matter in its news columns" that the paper looked like a "mess of hash."[22] One month later, George J. Southwick, another columnist for *The Journalist*, lamented, "Last week all the editorials for the Grass Valley *Tidings* were patent medicine 'ads.' What are we coming to?"[23] But even this trade journal admitted that it sometimes printed reading notices.[24] Retail trade journals, on the other hand, applauded the practice. The Chicago *Dry Goods Reporter*, for instance, praised the newspapers in Omaha, Nebraska, for carrying the reading notices of a local furniture store owner.[25]

This marketing technique became so common that writers began satirizing the practice. A Chicago *Daily News* reporter poked fun at publications' attempts to please railroads:

> For the setting forth of virtues (actual or alleged) of presidents, general managers, or directors, $2 per line for the first insertion and $1 each for subsequent insertion.... For complimentary notices of the wives and children of railroad officials, we demand $1.50 per line. We have on hand, ready for immediate use, a splendid assortment of this literature.... Poetry will be made to order at $2 per inch agate measure. We are prepared to supply a fine line of heptameter puffs, also a limited number of sonnets and triolets, in exchange for 1,000 mile tickets. Epic poems, containing descriptions of scenery, dining cars, etc., will be published at special rates. [26]

Some publishers openly applauded the practice and used the technique in self-promotion campaigns. The St. Paul *Globe*, in an 1890 issue of *Printers' Ink*, asserted that reading notices were perfectly legitimate--and successful. "It appears as pure reading matter and will be noticed in preference to display advertisements, and very often by persons that do not intentionally peruse advertising," the newspaper claimed. "It is insidious, attractive and interesting."[27] Following this reasoning, editors filled their news and editorial columns with copy extolling their circulations, reporting expertise, advertising successes, and facilities.[28]

As reading notices became more refined and subtle in the first years of the twentieth century, businesses saw opportunities to expand their use. No longer

[22]*The Journalist*, 13:8 (May 9, 1891), p. 13.

[23]*Ibid.*, 13:13 (June 13, 1891), p. 12.

[24]*Ibid.*, 15:13 (June 11, 1892), p. 9.

[25]Chicago *Dry Goods Reporter*, 29:31 (Aug. 5, 1899), p. 29.

[26]Eugene Field, *The Journalist*, 4:5 (April 16, 1887), p. 8, as quoted in Alfred M. Lee, *The Daily Newspaper in America: The Evolution of a Social Instrument* (New York, 1937), p. 436.

[27]*Printers' Ink* (May 21, 1890), p. 826.

[28]See Gerald J. Baldasty, Chapter Eight, *The Transformation of the American Newspaper in the Nineteenth Century* (manuscript in progress).

were they satisfied with simply promoting merchandise through mock news stories and editorials. They wanted to affect public policy, to publicize political agendas that would shape public opinion, and ultimately legislation, to their purposes. These corporate interests were willing to pay publishers large sums of money for the use of their news and editorial columns. They often hired personnel or contracted with newly created publicity bureaus to furnish newspapers and magazines with prepared articles, editorials, interviews, letters, and news items. "These appear in the public press without a suggestion of their real purpose," one critic observed. "They are not accompanied by any of the marks of advertising matter."[29]

Patent medicine interests were perhaps the most blatant in their attempts to control the press through advertising pressures, but insurance companies and Standard Oil were not far behind. Patent medicine advertisements disguised as editorials flooded publications with one message: no government regulation. Most publishers printed them wholesale. Not only were they financially compensated for running these reading notices; the publishers were also motivated by fear. Many had signed the "contract of silence," an agreement that revoked the publication's advertising contract if the paper printed anything negative about the industry. An official of the Proprietary Association of America boasted that he had contracts with fifteen to sixteen thousand newspapers, and had never been refused by a publisher.[30] Not surprisingly, many publications, including the Hearst papers, as one of Hearst's biographers claimed, printed as news "advertising matter that made the most arrantly [sic] false claims of cures ... under news heads with no indication that it was advertising."[31]

The insurance industry also undertook a massive public opinion campaign through newspaper and magazine columns during the Armstrong Commission's investigation into its business practices in 1905. Charles Evans Hughes, head of the investigation and future Chief Justice of the United States, concluded that several insurance companies paid newspapers one dollar a line to print disguised advertisements as news stories.[32] Upton Sinclair suggested that the newspapers received up to five dollars a line for printing these reading notices.[33] The Mutual

[29]William Kittle, "The Making of Public Opinion," *Arena*, 41 (July 1909), p. 440.

[30]"The Patent Medicine Conspiracy," *Collier's*, 4 (November 1905), pp. 14-16. A writer for *McClure's Magazine* speculated that newspapers were willing to participate in such practices "[a]s long as nobody called attention to it." As soon as *Collier's* publicized the agreement, newspapers in droves canceled or refused to renew these contracts. "Manufacturing Public Opinion," *McClure's Magazine*, 26 (1905-1906), p. 452.

[31]Ferdinand Lundberg, *Imperial Hearst: A Social Biography* (New York, 1936), p. 107.

[32]Will Irwin, *Propaganda and the News or What Makes You Think So?* (New York, 1936), p. 105.

[33]Upton Sinclair, *The Brass Check: A Study of American Journalism* (Pasadena, 1920), pp. 307-308.

Life Insurance Company spent between $5,000 and $6,000 for one item carried in 100 newspapers from New York to Minnesota in October 1905. The same company paid about $11,000 for six articles published as telegraphic news on October 25, 1905, at the "solicitation largely of the newspapers themselves."[34] One year later *Cosmopolitan*, a Hearst magazine, suppressed highly critical information in its "Treason in the Senate" series about New Jersey Senator John Dryden's ties with the insurance industry after Prudential Insurance bought an additional $5,000 worth of advertising in the form of a reading notice in its October 1906 issue.[35] Prudential's "An Aid to Business" praised Senator Dryden and his association with Prudential Insurance. It looked identical to the magazine's regular articles. The only clue to its origin was a small line at the end: "When you write please mention the *Cosmopolitan*."[36] Prudential Insurance and Senator Dryden flooded many periodicals with similar reading notices, including *The Independent*, *World's Work*, *New England Magazine*, *North American Review*, and *Leslie's Weekly*. Prudential then used these "news stories" in promotional materials, without advising they were paid advertisements.[37]

The Standard Oil Company was also busy buying news and editorial space. In 1905, it sent two employees to Kansas to sell the state's publications long articles "bristling with tables and calculations. . .admirably calculated to bewilder and mislead."[38] The men convinced newspaper managers to sign contracts specifying that the disguised advertisements would be published as news. The manager of the Kansas City *Journal* admitted that his paper received $3,340 for eight such articles.[39] Upton Sinclair claimed that many newspapers received from $500 to $1,000 for one Standard Oil reading notice.[40] But some Kansas newspapers, including the Emporia *Gazette*, refused to print the reading notices.[41] Standard Oil was similarly successful in Ohio, where the state's attorney general, Francis S. Monnett, found that the company had 110 Ohio newspapers publishing reading notices in support of the company's political agenda.[42] In 1907, the Interstate

[34]"Manufacturing Public Opinion," p. 451; Kittle, p. 441; Sinclair, pp. 307-08.

[35]The original October 1905 issue, containing the expose on Senator Dryden, was distributed to several sites before the issue was recalled and replaced with the revised edition. See generally David Graham Phillips, *The Treason of the Senate*, George E. Mowry and Judson A. Grenier, eds., (Chicago, 1964).

[36]Quoted in Robert D. Reynolds, "The 1906 Campaign to Sway Muckraking Periodicals," *Journalism Quarterly*, 56:3 (1979), p. 515.

[37]*Ibid.*, pp. 516-17.

[38]Quoted in "Manufacturing Public Opinion," p. 451.

[39]Kittle, p. 443.

[40]Sinclair, p. 308.

[41]"Manufacturing Public Opinion," p. 451.

[42]Ferdinand Lundberg, *America's 60 Families* (New York, 1937), p. 248; Alan R. Raucher, *Public Relations and Business, 1900-1929* (Baltimore, 1968), p. 4; "Manufacturing Public Opinion," p. 451; and Sinclair, p. 308.

Commerce Commission concluded that the oil company regularly used reading notices to promote corporate policy. "The Standard Oil Company buys advertising space in many newspapers," the commission reported, "which it fills, not with advertisements, but with reading matter prepared by agents kept for that purpose, and paid for at advertising rates as ordinary news."[43]

Private utility companies likewise engaged in the practice. These companies often hired the Municipal Ownership Publicity Bureau to send out "blind" reading notices to newspapers and magazines. A Mr. Grant from this bureau wrote the following letter marked "strictly confidential" to the president of the Oconee Telephone Company at Walhalla, South Carolina:

> The Bureau has arranged with the American Press Association to furnish a page of plate matter monthly to such newspapers as may be designated. Companies desiring to place such matters in the local papers should communicate with the Bureau -- under no circumstances taking up the matter with either the American Press Association or the local paper. All arrangements are made through the Bureau in such a way that the company does not appear in the matter at all. The cost of the service is $20. per year per paper. The great benefit accruing from the constant presentation of facts and arguments in favor of private ownership can hardly be overestimated.[44]

Other utilities contacted the newspapers directly. Fremont Older, editor of the San Francisco *Bulletin*, refused to publish reading notices for the Home Telephone Company, even though the company had signed a contract with the paper's business department to do so.[45] In Seattle, E.H. Wells, editor of the *Star*, wrote publisher E.W. Scripps in 1903 about an attempt by the president of a local bank and utility company to convince him to accept reading notices as the other Seattle newspapers were doing. Wells refused.[46] On the other hand, numerous Boston newspapers agreed to run reading notices that criticized proposed legislation for municipal utilities after receiving the following letter from a gas company:

> Enclosed you will find copy for a reading-matter ad. to be used in your paper. It is understood that this will be set up as news matter, in news type, with a news head, and without advertising marks of any sort. Please send your bill at the lowest net cash rates to the undersigned.[47]

[43]Quoted in Kittle, p. 443.

[44]*Ibid.*, pp. 440-41.

[45]Fremont Older, *My Own Story* (New York, 1926), pp. 38-9.

[46]Personal correspondence of E.H. Wells to E.W. Scripps, April 9, 1903. Edward W. Scripps Trust Archives, Cincinnati, Ohio.

[47]Quoted in Kittle, p. 441.

Legislative proposals often created a flurry of reading notices. When the Aldrich currency bill was pending before Congress in March 1908, one businessman candidly approached many publishers: "I wish to have published in as many papers as possible, opinions of prominent business men and bankers of your district favorable to the Aldrich Currency Bill now before the Senate." 48 He paid ten dollars to each leading city paper that ran the one-half column notice and two dollars to weeklies. During attempts to reform the meat-packing industry, Upton Sinclair accused Armour & Company of "paying over two thousand dollars a page to all the farm publications of the country -- and this not for advertisements, but for 'special articles.' "[49] One midwestern university also used reading notices to influence the state legislature to give it a larger appropriation. As one critic observed, university authorities "took money forced from a reluctant legislature to make the legislature give them still more money."[50]

Even during the heyday of reading notices, when much of the contents related primarily to merchandise and not politics, a vocal group of publishers and journalists condemned their use. Some advertisers pushed to abolish them, too, stating that they undermined attempts to promote integrity in the advertising field. Evidence suggests, however, that this opposition was not all altruistic, but that financial interests played a large role in the industry's campaign against reading notices.

As early as the 1870s, prominent journalists spoke against using news and editorial columns for paid advertisements. Some even refused to work for publications that carried reading notices. In 1871, Washington Gladden, religious editor of the *Independent*, resigned from the leading religious weekly because three departments -- insurance, finance, and publisher's notes -- were, as Allan Nevins observed, "so edited and printed that, though pure advertising at $1 a line, they appeared to a majority of readers as editorial matter."[51]

As publishers and editors began organizing state and national trade organizations to promote professionalism and to discuss common business concerns, advertising issues, including the use of reading notices, often became the center of discussion.[52] One speaker before the 1874 Kentucky State Press Association convention chastised publishers for accepting reading notices. "Paid matter shall be published so that the fact will not be concealed," Murat Halstead of the Cincinnati *Commercial* said. "If this could be declared and established by the press as as invariable rule, an immense and perplexing embarrassment would be removed."[53]

[48]Mr. P. S. Risdale of Wilkes-Barre, Penn., as quoted in *ibid.*, p. 443.

[49]Sinclair, p. 309.

[50]Hamilton Holt, *Commercialism and Journalism* (New York, 1909), p. 25.

[51]Nevins, *The Evening Post*, p. 430.

[52]Trade associations proliferated in the late nineteenth century as business people joined together as a means to achieve economic stability. Louis Galambos, *Competition and Cooperation: The Emergence of a National Trade Association* (Baltimore, 1966), p. 44.

Such a policy "was the essential feature of independent journalism," he asserted.[54] Eleven years later at the 1885 meeting of the Minnesota Editors' and Publishers' Association, a participant urged newspapers to develop strict rules of honesty and fair dealing, including a "clear distinction" between editorial space and advertising.[55] Charles A. Dana, owner of the New York *Sun*, reiterated these pleas in an address to the Wisconsin Editorial Association in 1888. He urged journalists to "[n]ever print a paid advertisement as news matter." No advertisement should sail "under false colors."[56] A columnist for *The Journalist* urged publishers to follow Dana's maxim, but he doubted that this would happen quickly. "Pragressive [sic] as it claims to be, there is no institution more conservative than the newspaper," Stephen Fiske wrote. "It retains all the faults of the past and makes room slowly for reforms and improvements."[57]

National trade associations proved Fiske right. Even though they discussed the issue of reading notices, they took no formal action on their use. The president of the National Editorial Association (NEA), a trade organization for weekly newspapers, however, criticized the practice at its 1891 national convention:

> Most publishers do, but none ever should, admit a line of reading into reading columns which is paid for, and which is intended to appear as if written or selected by the editorial department on its merits as reading matter, while it is really intended to serve private business interest, unless such matter is in some way, either at its beginning or end, distinctly marked as an advertisement.[58]

Country newspapers tended to publish the notices unintentionally because of their "heterogenious [sic], injurious and often wonderfully inapt [sic] mingling of their brief local items and paragraphs with other brief, paid-for items." However, larger newspapers committed "fraud upon the reader by insertions of more or less lengthy and prominent articles which are merely and only advertising in attempted disguise," the NEA president continued. This practice must end in order for newspapers to regain the public's trust and respect, he argued.

Leadership in the American Newspaper Publishers Association (ANPA) was

[53]Quoted in Donald W. Curl, *Murat Halstead and the Cincinnati Commercial* (Boca Raton, 1980), p. 39.

[54]Quoted in Wingate, p. 116.

[55]The participant was A.W. McKinstry. Hiley Henry Ward, "Ninety Years of the National Newspaper Association: The Mind and Dynamics of Grassroots Journalism in Shaping America," Ph.D. dissertation, University of Minnesota, 1977, p. 95.

[56]Quoted in Leon Nelson Flint, *The Conscience of the Newspaper* (New York, 1925) p. 458.

[57]"Among the Newspapers," *The Journalist*, 16:6 (Oct. 22, 1892), p. 7.

[58]Quoted in *The Journalist*, 13:19 (July 25, 1891), p. 4. See also, "A Criticism of the Counting Room," *Printers' Ink* (July 29, 1891), p. 86.

not so adamant about the issue. Throughout the 1890s ANPA members debated the use of reading notices at annual conventions, usually in the context of other advertising problems. At the 1890 convention, one member asked for suggestions on how to handle advertisers who demanded certain page positions and news type, but refused to pay reading matter rates.[59] Evidently, his concern was the lack of adequate compensation, not the ethical questions involved with running advertisements as news stories or editorials. Victor Lawson, publisher of the Chicago *Daily News*, responded with his paper's policy:

> We don't publish anything as advertising that looks like reading matter. . . .
>
> A man sends us an advertisement to be set in the body-type of the paper so it shall look like reading matter: There is only one step for us to take; that is, offer him "adv." after it, $1.75 a line, and it goes in. If it is over forty lines deep, instead of following, "Advertisement" precedes it. If he doesn't want it so, very good. If he says, 'I will take display columns but want it set in reading matter type,' very good; but the foreman's rule is to put display type on each side of it, so it is understood that it is an advertisement, and there isn't any genuine reading matter within one column of it. It doesn't deceive the general public and everybody is pleased except the advertiser.[60]

Lawson often had to explain his position on reading notices to businesses not used to being denied access to a publication's news and editorial space. But his resolve to keep "an absolute separation. . .between the editorial and business departments of the paper" never wavered.[61] Participants at the 1890 ANPA convention, however, did not share Lawson's stance, and the issue was dropped. In 1894 the ANPA discussed whether reading notices appearing in the form of telegrams should be inserted in newspapers without marking them as advertisements.[62] Again, no action was taken. At its 1897 annual convention, the association appointed a five-member committee to work with advertising agents to establish guidelines for reading notices, including uniform definitions for such terms as "reading matter," "pure reading matter," "absolutely pure reading matter," and "news matter."[63]

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[59]The participant was Mr. Knapp. American Newspaper Publishers Association, *Proceedings of the Fourth Annual Convention* (Feb. 12, 1890), p. 28.

[60]*Ibid.*, pp. 42-3.

[61]Charles H. Dennis, *Victor Lawson: His Times and His Work* (Chicago, 1935), pp. 139, 150.

[62]E.F. Foster of the Nashville *Banner* complained about them. ANPA, *Proceedings of Eighth Annual Convention* (Feb. 21-23, 1894), p. 28.

[63]ANPA, *Proceedings of the Eleventh Annual Convention* (Feb. 17-19, 1897), pp. 18-19.

While state and national associations debated the issue, individual publishers like Lawson established their own policies. Several newspapers earlier willing to print reading notices now editorialized against their use. Whitelaw Reid, editor of the New York *Tribune*, contended that "too many newspapers depreciate the value of their own wares by admitting that it is necessary to give editorial notice to an advertisement to make people see it."[64] He believed "it would be better for journalists if every newspaper utterly refused to permit any single line of reading matter to be shaped by any advertising interest." E.W. Scripps also thought it made good business sense to label all advertisements resembling reading matter.[65]

The New York *Times*, under the new leadership of Adolph S. Ochs, angrily criticized an advertising agency's claims in 1899 that it had the power to place advertisements as telegraphic news in many of the country's leading dailies. The editorial stated that the "agency's offer is simply absurd -- or it would be were it not also reprehensible from every point of view."[66] One year later, the *Times*' editorial staff again lambasted the practice when an advertising agency released a brochure listing newspapers throughout the country that accepted reading notices. The editorial said the list filled nearly thirteen pages of the brochure and contained names of both well-known and obscure publications, including four New York dailies. Calling the publication "[q]uite the most saddening, discouraging and humiliating piece of printed matter," the New York *Times* condemned "the business men [who] will be glad to fool the public into reading their advertisements under the falsest of false pretenses" and the newspapers that "are willing, for a consideration, to enter into the miserable conspiracy."[67]

Editorial writers and columnists in other publications also decried the reading notice as "an insidious attempt" to dupe the public that was "worthy of aught but contempt."[68] Enterprisingly, some publishers used their refusal to accept reading notices in promotional campaigns. The editor of the Boston *Post* ran stories about how the newspaper had refused to be "muzzled" by a street railway that offered $100 a column for the publication of advertising matter as news. "His paper is getting a good advertisement out of it," one observer wrote.[69]

[64]Quoted in Wingate, p. 35.

[65]Negley D. Cochran, *E.W. Scripps* (New York, 1933), p. 239.

[66]New York *Times* (Jan. 21, 1899), p. 6:4. Adolph S. Ochs, who bought the newspaper in 1896, was sensitive about keeping the news/editorial division separate from the business office. In 1900, for example, the Republican National Committee wanted to order one million copies of a back issue with an editorial on that year's campaign issues. Ochs refused the request, even though the *Times* was in debt, because he objected to the idea of receiving any sort of payment for what appeared in the paper's reading columns. Davis, *History of the New York Times*, pp. 311-13.

[67]New York *Times* (Aug. 24, 1900), p. 6:5.

[68]John Cockerill, "Some Phases of Contemporary Journalism," *The Journalist*, 16:6 (Oct. 22, 1892), p. 12.

[69]*The Journalist*, 14:14 (Dec. 19, 1891), p. 3.

As the twentieth century approached, there appeared to be a concerted effort from within the established newspaper community to purge its own news and editorial columns of reading notices. Some journalists, such as Lawson and Ochs, explained their actions in ethical terms: disguised paid advertisements violated the public trust. Others, such as Scripps and Reid, acted out of pecuniary interests. In any event, many publishers and editors began advocating the clear labeling of all reading notices with either the word "advertisement" or its abbreviation "adv."[70]

Even newspaper guides published in the early 1900s warned editors not to accept reading notices "unless run with some distinguishing mark -- it does not pay to deceive your readers."[71] O. F. Byxbee, author of *Establishing a Newspaper: A Handbook for the Prospective Publisher*, suggested charging five to fifteen cents per line, according to circulation, for marked advertisements resembling reading matter. Another handbook author praised newspapers that had begun to label reading notices "by the abbreviation 'adv.' or some symbol such as a star or a dagger."[72] The Kansas Editorial Association sounded another death knell for the reading notice when it approved the industry's first code of ethics in 1910. According to the Kansas Code of Ethics for the Publisher, "Unsigned advertisements in the news columns should either be preceded or followed by the word 'advertisement' or its abbreviation."[73] The code also stated that a product's trade name and the name of a merchant or a professional should not be mentioned in news stories.

Some businesses were also reconsidering the use of reading notices. Once considered the most effective type of advertisement, the reading notice had lost favor. Reformers attacked it as the epitome of what was wrong with advertising -- fraudulent, misleading, deceitful, and dishonest. Recognizing the validity of some of the reformers' complaints and worried about their public image, advertisers formed associations to help clean up the industry's image and weed out the unscrupulous members.[74] Self-policing groups were organized in many major cities to publicize fraudulent advertisements. *Printers' Ink* even asked state legislatures to enact a model statute it helped draft in 1911 to make deceptive advertisements

[70]Stanley Walker (city editor of the New York *Herald Tribune*), *City Editor* (New York, 1934), p. 151; Alex L. Moreau (publisher, Freehold, N.J., *Transcript*), *The American Printer*, 49:2 (October 1909), p. 218.

[71]O. F. Byxbee, *Establishing a Newspaper: A Handbook for the Prospective Publisher, Including Suggestions for the Financial Advancement of Existing Daily and Weekly Journals*, (Chicago, 1901), p. 95.

[72]John Givens, *Making a Newspaper* (New York, 1907), pp. 309-11.

[73]Crawford, pp. 202, 204.

[74]The industry's "truth-in-advertising" movement has been extensively described elsewhere. See Printers' Ink, *50 Years*; Pope, *The Making of Modern Advertising*; Max Geller, *Advertising at the Crossroads: Federal Regulation vs. Voluntary Control* (New York, 1952); Edward Jackson Baur, "Voluntary Control in the Advertising Industry," Ph.D. dissertation, University of Chicago, 1942.

illegal.[75] Periodically, articles appeared in advertising trade journals urging advertisers to recognize the detrimental effects of reading notices. In fact, as early as 1892, one advertiser condemned the printing of lottery advertisements as news stories even before the U.S. Supreme Court forbade any type of lottery advertisement later that year.[76] Since reading notices were "the most deceptive of guises," the author wrote, using them to advertise lotteries was unconscionable."[77] Another writer took a more pragmatic approach. "Advertising that is not labeled advertising loses much of its force," he observed. "A priest in the garb of a layperson would receive little reverence or respect. In business, things which are not what they appear to be, lose favor."[78] Will Irwin, author of the twelve-part "American Newspaper" series printed in *Collier's* in 1911, expanded on this theme when he spoke before the annual convention of the Associated Advertising Clubs of America that same year. Advertisers must realize, he said, that it is counter-productive to ask publishers to prostitute their professions by disguising advertisements.[79]

More important to the reading notice's decline in popularity within the business community, however, was the rise of the public relations practitioner. Businesses were beginning to learn how to get publications to print their advertisements for free as bona fide news stories.[80] Reading notices -- paid disguised advertisements -- naturally lost their appeal when the same message could be conveyed more authentically and without expense.

Nevertheless, some advertisers continued to use reading notices. One year after Will Irwin's speech, members of the Associated Advertising Clubs of America heard another speaker urge publishers to continue to accept the practice, and "don't three-star it [some publications used *** to indicate when reading matter was an advertisement]; don't mark it 'advt.' "[81] Advertising handbooks as late as 1911 continued to promote their use.[82]

[75]Printers' Ink, *Fifty Years*, p. 257.

[76]Congress enacted legislation prohibiting periodicals from printing lottery advertisements in 1890. 26 *U.S. Statutes at Large* 465. In *re Rapier*, the U.S. Supreme Court affirmed congressional authority to do so. 143 U.S. 110 (1892).

[77]*The National Advertiser*, 3:11 (Feb. 15, 1892), p. 200.

[78]*Advertising Experience*, 9:4 (August 1899), p. 1.

[79]Will Irwin, "Advertising as the Editor Sees It," Associated Advertising Clubs of America, *Seventh Annual Convention Held in Boston, August 1-4* (Boston, 1912), p. 143.

[80]See generally Tedlow, *Keeping the Corporate Image*.

[81]W.C. Freeman, "The Duty of the Daily Newspaper Towards Its Local Advertisers, and the Duty of the Local Advertisers Towards the Daily Newspapers," Associated Advertising Clubs of America, *Eighth Annual Convention Held in Dallas, May 19-22, 1912*, pp. 216-17.

[82]T.D. MacGregor, *Pushing Your Business: A Textbook of Advertising*, 4th ed. (New York, 1911), p. 15. MacGregor defined a reading notice as "An advertisement set so that it looks like a news or general article. The charge for such notices is higher than for the same space in display type."

An obscure amendment to the 1913 post office appropriations act marked the end of the legal use of reading notices. Known as the Newspaper Publicity Act, it required newspapers and magazines using the highly subsidized second-class mailing rate to label advertisements that resembled news stories or editorials.[83] The U.S. Supreme Court affirmed congressional authority to enact such legislation in a 1913 court case, instigated by the ANPA, which challenged the constitutionality of the law.[84] Soon afterward, the press urged strict enforcement of the act, recognizing the intrinsic public relations value of supporting the advertising reform. Journalists as well as advertisers were trying to professionalize their industry and to establish a respectable pubic image. Paid advertisements masquerading as news tarnished that image and did not inspire public trust. Consequently, reading notices were already in disfavor within the industry before Congress prohibited them in publications using the second-class mail privilege.

[83]The Newspaper Publicity Act also required publications to identify their owners and daily newspapers to disclose accurate circulation figures. Act of Aug. 24, 1912, 37 *Stat.* 551.

84*Lewis Publishing Co. v. Morgan*, 229 U.S. 288.

Scurrility and the Party Press, 1789-1816

by Wm. David Sloan

In the early years of the United States, the new nation faced ideological differences so fervent that leaders feared for its future. Confronted with problems of foreign policy, sectionalism, and excessive party spirit, George Washington as one of the last acts of his presidency pleaded for his fellow Americans to place the unity of their country above their differences. Newspapers published his Farewell Address in September 1796.

Increased partisanship and political scheming, however, marked the presidential election that followed. Federalists claimed that Republicans plotted with the bloody revolutionists of France, while Republicans accused Federalists of trying to turn the United States into a monarchy. Factionalism intensified; and newspapers, already established as essential political machinery, waded more deeply into the fray. The only method of opposing Republicans, wrote the Federalist pamphleteer William Cobbett in December of that year, was "to meet them on their own ground; to set foot to foot; dispute every inch and every hair's breadth; fight them at their own weapons, and return them two blows for one."[1]

In their attempts to aid their parties and defeat the opposition, newspaper editors were not bashful. They employed a wide array of weapons to carry on the battle. One was personal attack. While this technique accounted for only a small part of the arsenal, it grabbed the attention of contemporaries and has had a major impact on historians' evaluations. Donald Stewart's observation that "personal abuse is as old as time itself, but political writers of that day indulged in it to an almost unbelievable extent"[2] is a typical observation. Jim Allee Hart wrote, "In America where newspapers were enjoying a greater freedom of comment than ever had been known anywhere in the world...journalists soon became known for the vituperativeness of their writing."[3] Frank Luther Mott, because of his promi-

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[1]Philadelphia *Censor*, December 1796, in Mary Elizabeth Clark, *Peter Porcupine in America: The Career of William Cobbett, 1792-1800* (Philadelphia, 1939), p. 94.

[2]Donald H. Stewart, T*he Opposition Press of the Federalist Period* (Albany, N. Y., 1969), p. 519.

[3]Jim Allee Hart, *Views on the News: The Developing Editorial Syndrome 1500-1800* (Carbondale, Ill., 1970), p. 67.

nence as a journalism historian, helped spread the conclusion that because of the "scurrility and vulgar attack on personal character" the journalism of the early national period "was in many respects disgraceful."[4] If there is a point about which historians agree, it is that the practices of the party press were irresponsible and regrettable.[5]

Yet if the press vituperation is seen in perspective, it appears a less important part of the history. Perusal of the pages of party newspapers makes one thing apparent: their techniques were more varied and better-reasoned than historians commonly have acknowledged. Although newspapers printed vituperation, its importance as a measure of the performance of the party press has been exaggerated. Along with personal attacks, the press used numerous techniques. Much of its performance was admirable. Its essays and editorials provided much worthwhile material and well-reasoned arguments aimed at both informing and convincing the public. Editors opened their columns to contributions from readers, making the partisan press a vigorous "market-place" for ideas. Much of the political argument of editors was well conceived, their satire and logic, for example, sometimes sparkling. Even the personal attacks, at times heavy and insensitive, might not have been as black a mark against the press as contemporaries and historians would make believe.

This article describes newspapers' use of scurrility and the conditions in which it occurred. Historiographically, it fits into the body of works undertaken during the last decade to provide an explanation of the party press based on its political role.[6] That approach to party press history questions the assumptions of histori-

[4]Frank Luther Mott, *American Journalism: A History of Newspapers in the United States through 250 Years, 1690 to 1940* (New York, 1941), pp. 168-169.

[5]See, for example, James E. Pollard, *The Presidents and the Press* (New York, 1947), pp.72 and 83; William E. Ames, *A History of the National Intelligencer* (Chapel Hill, N. C., 1972), p. 10; Lewis Leary, *That Rascal Freneau: A Study in Literary Failure* (New Brunswick, N. J., 1941), p. 286; Allan Nevins, *American Press Opinion, Washington to Coolidge* (Boston, 1928), pp. 5 and 11; Stewart, pp. 30, 487, and 543; Frank Luther Mott, *Jefferson and the Press* (Baton Rouge, 1943), pp. 21 and 41; Clarence S. Brigham, *Journals and Journeymen: A Contribution to the History of Early American Newspapers* (Philadelphia, 1950), pp. 60-65; James M. Smith, *Freedom's Fetters: The Alien and Sedition Laws and American Civil Liberties* (Ithaca, N. Y., 1956), p. 278; John C. Miller, *Crisis in Freedom: The Alien and Sedition Acts* (Boston, 1951), pp. 27 and 30; Dumas Malone, *Thomas Jefferson and the Ordeal of Liberty* (Boston, 1962), pp. 53 and 56; Claude G. Bowers, *Jefferson and Hamilton: The Struggle for Democracy in America* (Boston, 1925), pp. 310 and 369; Herbert S. Parmett and Marie B. Hect, *Aaron Burr: Portrait of an Ambitious Man* (New York, 1967), p. 187; Frederick Barnes Tolles, *George Logan of Philadelphia* (New York, 1953), p. 182; and Raymond Walters, *Albert Gallatin: Jeffersonian Financier and Diplomat* (New York, 1957), p. 113.

[6]I have examined the political role of the press in my own work. See, for exam-

ans who have explained the party press in terms of modern journalistic principles and practices. It argues that the party press must be considered on its own terms rather than in light of journalistic concepts that developed later. Historians who have evaluated the party press by journalistic principles of their own time have been the ones, such as Frank Luther Mott, who have castigated the press for its intemperate language. This article is based on the historical assumption that the party press, like other parts of the past, can be properly understood only in the context of its own time and of the cultural system in which it operated. The years selected as the boundaries for this study, 1789 and 1816, are those in which Washington began his terms as the nation's first President and the last year in which the Federalists offered a candidate for the office, thus ending America's first party system.

The fact that mitigating circumstances existed, however, does not diminish the plain truth that of the techniques employed by papers to support their political cause, among the most frequently used was personal attack. Because of its nature, personal attack was the most noticeable. Editors rarely hesitated to call opponents names or accuse them unjustifiably of some evil. Name-calling, while sometimes approaching a state of art, often exhibited no quality better than crudeness. Editors of both parties, for example, referred to opponents as "insane," "incompetent," "small-minded," "wooden-headed," or some other characteristic indicating stupidity. Names of animals ("jackal," "dog," skunk," for example) were favorites, as were words describing an aspect of the opponent's human nature; "wretch," "coward," "hypocrite," and "criminal" were typical. When nouns would not suffice to describe an opponent's detestability, writers chose adjectives; an opponent might be "worthless" or "depraved," "corrupt" or "immoral," or any of a number of other characteristics.[7] Sometimes, editors tried to be a little more imaginative and came up with names such as "prating poppinjay," "toad-eater," "under-strapper," "addled cat's paw," "guttersnip," and "double-faced weather-cock."

The master of such invective undoubtedly was William Cobbett. He could be hard on anyone, but he especially seemed to enjoy attacking his journalistic antagonist Benjamin Bache. He called the *Aurora* "Mother Bache's filthy dishcloth"[8] and described its editor as "the white-livered, black-hearted thing Bache, that public pest and bane of decency."[9] As if that were not enough, he wrote an

ple, "The Early Party Press: The Newspaper Role in American Politics, 1788-1812," *Journalism History*, 9 (1982): 18-24. In a number of studies, Gerald Baldasty has provided a similar explanation for the press of the Jacksonian period. "The Press and Politics in the Age of Jackson," *Journalism Monographs*, 89 (1984), provides a good example of his approach.

[7]Other overworked words included serpent, dog, viper, beast, brat, debaucher, bandit, carouser, assassin, drunk, malignant, malicious, infamous, wicked, mean, incompetent, vile, perverted, and indecent, among others.

[8]*Porcupine's Gazette*, April 23, 1799.

[9]*Ibid.*, Aug. 4, 1797.

entire article devoted to Bache, describing him as "an ill-looking devil...[whose] eyes never get above your knees."[10]

While such name-calling may have passed the reader as nothing more than petulance which made interesting reading, some scurrility could refer to a real characteristic and probably stung opponents more than the rest. Republican editors often leveled the charge of "adulterer" against Alexander Hamilton after he had confessed his affair with Mrs. Reynolds. They recognized the affair's potential political damage and siezed frequent opportunities to remind the public of Hamilton's lapse into immorality. Abijah Adams asked of the Federalist party, "What shall we say of a faction that has at its head a confessed and professed adulterer?"[11] When Hamilton's management of the government's finances came under question, Bache expressed the hope that "liberality towards his mistress" did not account for missing records.[12] When President Adams named Hamilton to command the army, Charles Holt asked if "our young officers and soldiers" can "learn virtue from General Hamilton? Or like their general are they to be found in the bed of adultery?[13]

Other names also carried specific implications and, used with frequency, had real political connotations. Editors of both parties often referred to opponents as "traitors" or "enemies of the country." Neither party apparently had a defensible claim to a monopoly on patriotism, but telling differences did show up with certain name-calling. Indeed, some names which were applied often to Federalists almost never were used against Republicans, and vice versa. Republican editors referred to Federalists by names associated with elitism. They favored names indicating rule by the few. "Tory" and "royalist," names associated with British rule, generally were thrown at Federalists. "Aristocrat," followed by "monarchist," was just as frequently used. Other names such as "enemy of liberty," "tyrant," and "wealthy men" carried connotations of elitism and, when repeated time and again, finally may have drawn meaningful pictures for readers.

Federalist editors stuck to Republicans the image of supporters of mob rule, promoters of vulgarity, and defilers of tradition. They especially accused their opponents of being pro-France "Jacobins," indicating that Republicans favored the lawlessness of the French Revolution. A similar term was "anarchist," and Federalist editors frequently accused Republicans of being exciters of mobs. Another name of like approbation was "democrat." Names such as "foreigner," "Jew," and "Irish" displayed the Federalists' nativist sense of superiority. The Republican party was said to be composed of "blacksmiths," "tailors," "hatters," "shoemakers," and other such laborers. Federalists leveled the charge of "atheism" against Republicans because Jefferson was a deist and Thomas Paine,

[10]*Ibid.*, Nov. 14, 1797.

[11]*Independent Chronicle*, June 30, 1800.

[12]*Aurora*, July 28, 1797.

[13]Quoted in Richmond *Examiner*, March 4, 1800.

a supporter of Republicanism, was a suspected atheist. One other category of names might have been simply like the general derogatory ones, except that Federalist editors used it so much more frequently. Their references to Republicans as "vile," "filthy," and "unclean" may have indicated their disdain of the commonness of Republican ideas.

As absurd as some of the name calling was, accusations were just as bad. Republicans accused Washington of, among other things, being a blasphemer,[14] and John Adams of being subservient to the British.[15] Federalists' most repeated and telling charges against Jefferson were that he was an atheist and that he had fathered children by one of his slaves.[16] Republicans retaliated with claims that Hamilton not only was an adulterer but also had stolen from the U.S. Treasury.[17] Federalists argued that Madison could know nothing of international commerce because the only commerce in his home state of Virginia was "buying and selling of negroes."[18]

Both sides frequently accused opponents of using improper methods to influence elections, of committing embezzlement and other financial irregularities, and of being cowards and traitors to their country.[19] Federalists claimed Republicans were against religion; Republicans accused Federalists of opposing freedom of religion. Federalists said their opponents would take away property if they gained power and would give rule to "the dregs of society"; Republicans responded that Federalists desired tyranny. Federalists charged Republicans with a plot to join France in an attempt to overthrow the American government; Republicans claimed Federalists were in league with Great Britain.[20] This last charge against the Republicans was the most frequently repeated of all. In the late 1790s, Federalist newspapers painted a picture of an imminent revolution waged by Republicans supported by a French invasion. Cobbett claimed that "scores of fellows" could be found "in every beer-house...who will not only justify the French in all

[14]New York *Journal*, Dec. 7, 1793.

[15]*Aurora*, Oct. 18, 1796, and July 24, 1799.

[16]*Gazette of the United States*, Sept. 2, 1800; Richmond *Recorder*, Nov. 17, 1802; *New-England Palladium*, quoted in Hudson *Bee*, Sept. 7, 1802.

[17]Callender, "History of the United States for 1796" (pamphlet); Philadelphia *Daily Advertiser*, July 17, 1797; *Independent Chronicle*, Sept. 25, 1797.

[18]*Columbian Centinel*, March 1, 1794.

[19]New York Daily *Advertiser*, Feb. 7, 1792; *Columbian Centinel*, Oct. 17, 1792;*Independent Chronicle*, Dec. 7, 1795, Aug. 31, 1797, Dec. 31, 1798, April 1, 1799; *American Minerva*, Dec. 26, 1796, Aug. 21, 1797; *Aurora*, May 23 and June 7, 1800; *American Citizen*, July 31, 1800; New York *Herald*, Jan. 4, 1804; Albany *Gazette*, April 10, 1813; New York *Spectator*, Jan. 24, 1816; Connecticut *Mirror*, Feb. 26, 1816.

[20]*American Minerva*, Dec. 5, 1794; *Independent Chronicle*, July 18, 1796; *Porcupine's Gazette*, Feb. 1, 1798; *Massachusetts Mercury*, July 6, 1798; Portland *Oriental Trumpet*, Aug. 7, 1799; *American Citizen*, April 25, 1807.

they have done, but will tell you flat and plain, that they would join them, if they were to land in the country."[21] They were ready, he said, "to burn all our cities and cut the throats of all the inhabitants."[22]

Editors liked to use satire and humor. The object usually was to poke fun at the opposition's failures and misfortunes; and some writings were genuinely funny. Some works, however, read more like black humor than comedy. The *Connecticut Courant* described a visit of Congressman Matthew Lyon to Philadelphia, where he pranced "like a Monkey...where he was taken for an Ass for his braying, for a Cur by his barking, for a Puppy by his whining, for a Hog by his eating, for a Cat by his spitting, and for a Lion, by nothing but his being the greatest of beasts."[23] Federalists made as much political mileage as they could out of the fact that some of their opponents were from Ireland or France, and editors mimicked their accents. The *Gazette of the United States* quoted a pretended speech by Albert Gallatin this way: "For ze par wisch oituke een dzattafair oidoo mos sinzerly deman ze pardone of moi contree. It is ze political zin of wish oi gladly take zis akelshon to express mois zinzere repentans."[24] Federalists also found many occasions for gibes from the fact that Aaron Burr, after shooting Hamilton, presided at the Senate impeachment trial of Justice Samuel Chase. The New York *Political Register* remarked, "How disgraceful is it, to the character of the nation, that in the highest court of judicature known to our constitution, the word MURDER cannot be pronounced before the presiding judge, without exciting universal surprize and observation."[25]

While name-calling and groundless accusations perhaps never are justifiable, a few factors may be considered as evidence to ameliorate the journalists' guilt. What appears to the historian as abuse sometimes may have been recognized as something different by contemporaries, and historically there may be the problem of attributing vituperation to the party press for some writing that was not intended or accepted that way. The historian Jerry Knudson made just this point in his work on the press during Jefferson's presidency:

> It must be emphasized...that satirical writings on political subjects were viewed differently in 1800, and what seems to us

[21]Quoted in Daniel Sisson, *The American Revolution of 1800* (New York, 1974), p. 192.

[22]*Porcupine's Gazette*, July 3, 1798. For similar charges, see the *Gazette of the United States*, June 27, 1798; *Russell's Gazette*, June 28, 1798; and the Albany *Centinel*, Aug. 7, 1798.

[23]*Connecticut Courant*, Feb. 11, 1799.

[24]Gazette of the United States, April 7, 1801.

[25]Quoted in the *Evening Post*, Feb. 14, 1805. For other samples of such humor, see the *Aurora*, Aug. 20, 1794, June 10, 1800; New York *Journal*, Oct. 18, 1796; *Porcupine's Gazette*, June 6 and 11, 1797; Columbian Centinel May 23 and July 18, 1801; *Eastern Argus*, Dec. 2, 1803; *Evening Post*, Feb. 6, 1805; *New-England Palladium*, Nov. 10, 1815; and *Niles' Weekly Register*, Dec. 3, 1814.

> unspeakable abuse was to the generation of Jefferson a rhetorical exercise. James Thomson Callender of the Richmond *Recorder* was criticized by his fellow craftsmen for being so deadly in earnest in his virulent denunciations of Jefferson. Political writing was intended--and accepted--in a Pickwickian sense, and many of the quotations lifted from newspapers of the period to grace the pages of histories written in the twentieth century were not meant to be taken at face value.[26]

To support his argument, Knudson quoted an exchange between William Coleman and one of his readers aimed at clarifying for visiting Europeans the point that what they took as sericus argument was actually "an unmeaning pleasantry, a mere badinage, resorted to by way of saying nothing on a subject which we could not be supposed entirely to pass over."[27]

Editorial scurrility was as much a sign of the times as a unique characteristic of the press. The period was one of political passion. When participants viewed the issues in such extremes as religion against atheism, order against anarchy, freedom against slavery, and the elite against the people, when congressmen could fight on the House floor, there was little room for temporizing. Discussion was bound to boil occasionally. "[M]oderates," declared the Boston politician Fisher Ames, "are the meanest of cowards, the falsest of hypocrites."[28]

In such a climate, politicians and the public expected editors to promote their cause with ardor. Postmaster General Gideon Granger, a Republican, in 1802 entreated members of his party:

> ....[T]he Federalists have associated in an organized body to destroy the reputation of the present administration by every species of Slander and Calumny which they have ingenuity to invent....We therefore ardently solicit our friends and all friends of the Republican Principles to be instant in season and out of season in repelling their attack by counter Publications in the Republican News Papers.[29]

When editors attempted to be moderate, friends and opponents alike sometimes laughed at or criticized them. Ames complained that fellow Federalist Benjamin Russell preferred "a joke to an argument."[30] William Duane poked fun at fellow

[26]Jerry Knudson, "The Jefferson Years: Response by the Press, 1801-1809," unpublished Ph. D. disseratation (University of Virginia, 1974), p. 13.

[27]*Evening Post*, Sept. 20, 1804, in *ibid.*, p. 14.

[28]Seth Ames, ed., *The Works of Fisher Ames* (New York, 1969, reprint), I, p. 246.

[29]Gideon Granger to Ephraim Kirby, March 8, 1802, in Noble E. Cunningham, Jr., *The Jeffersonian Republicans in Power: Party Operations, 1801-1809* (Chapel Hill, N. C., 1963), p. 239.

[30]Quoted in Winfred W. Bernhard, *Fisher Ames, Federalist and Statesman* (Chapel Hill, N. C., 1965), p. 359.

Republican editor Samuel Harrison Smith's "silky milky way."[31]

Vituperation was a prized skill. *Porcupine's Gazette*, one of the most ascerbic of the party papers, had a circulation of 2,000 in 1799, the largest of any daily paper,[32] and apparently was one of the most popular papers in the homes of even cultured Federalists.[33] The party papers seem to have been a mirror of their society, and in such a society politics and crudeness were to be expected in the press.[34] When criticized for his writing style, James Callender replied, "They cannot blame me if the most enlightened people in the world are as ignorant as dirt."[35]When planning to start a paper in New Jersey, Philip Freneau wrote Madison, "I will not make high promises of what it will contain. It will scarcely be expected that in a crude barbarous part of the country I should calculate it for the polite taste of Philadelphia."[36] That Freneau considered Philadelphia--where *Porcupine's Gazette*, the *Aurora*, and less polished papers thrived--polite society is some indication of the period's standards of culture.[37]

Vituperation was not exclusive to editors. It punctuated the letters and writings of non-journalists. Much of the abusive language that appeared in newspapers came from contributors. In the *Aurora*, "Pittachus" called Washington a spoiled child, "Atticus" said he was despotic, and "Valerius" warned that he was a "usurper."[38] In the *National Gazette*, "A Citizen" described Federalists in government as "partners with brokers and stock jobbers" and claimed they supported financial policies because of "their avarice."[39] In an open letter to President Adams in 1801, former Congressman Matthew Lyon wrote:

> You seem now more than ever bent on mischief: your vindictive spirit prompts you to do every thing in your power to give the succeeding administration trouble, but you are as un-

[31]Quoted in the *American Citizen*, Jan. 11, 1804.

[32]Mott (1941), p. 159.

[33]Bowers, not noted for impartiality toward Federalists, was one historian who thought the well-bred readers enjoyed Cobbett's paper. See Bowers, p. 354.

[34]For similar conclusions, see Nevins, *American Press Opinion*, p. 6; Nevins, *The Evening Post: A Century of Journalism*(Boston, 1922), p. 49; Brigham, p. 64; Hart, p. 164; and Fred S. Siebert, Theodore Peterson, and Wilbur Schramm, *Four Theories of the Press* (Urbana, 1956), p. 1.

[35]James Callender to Jefferson, March 14, 1800, in Noble E. Cunningham, Jr., *The Jeffersonian Republicans: The Formation of Party Organization, 1789-1801* (Chapel Hill, N. C., 1957), p. 172.

[36]Quoted in Leary, p. 154.

[37]In fairness to some political leaders, it should be said that their official and private correspondence usually showed less invective than did their writings in the press. For a similar evaluation, see Bowers, p. 310, and Cunningham (1957), p. 227.

[38]Quoted in Stewart, p. 80.

[39]*National Gazette*, May 3, 1792.

> fortunate in this as in most of your calculations; your creatures are generally pliant reeds, they will bend to and fawn upon anybody that is in power; it was power they worshipped in you, not John Adams.[40]

During the embargo of 1808, a Federalist in New England was quoted as saying, "I wish that Jefferson and Simon Snyder were both in hell and a clog of brimstone at each foot!!!"[41]

Even Bache's virulent condemnation of Washington as he left the presidency -- a piece of writing often cited by historians as an illustration of the worst of the period's scurrility[42]--may have been written not by Bache but by a contributor. The article read in part:

> ...[T]he man who is the source of all the misfortunes of our country is this day reduced to a level with his fellow-citizens, and is no longer possessed of power to multiply evils upon the United States....[T]his day ought to be a JUBILEE in the United States.[43]

Scharf and Westcott, historians of Philadelphia, basing their information on a statement by Colonel Robert Carr, stated that Dr. William Reynolds wrote the article while Bache was out of Philadelphia. On returning, Bache "expressed great anger and annoyance at its appearance in the columns of the Aurora."[44]

Examples of name-calling and false charges in letters sent to newspapers were numerous.[45] Even Jefferson, who was relatively circumspect and moderate in his comments about opponents, was accused by Freneau of having authored some of the abusive articles that appeared in the *National Gazette*. The editor exhibited a marked file of copies of the newspaper to substantiate his charge.[46]

Editors who did attempt to publish free of scurrility sometimes had problems

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[40]*Aurora*, March 10, 1801.

[41]*National Intelligencer*, Sept. 28, 1808.

[42]See, for example, Mott (1941), pp. 127-128; and Sidney Kobre, *Development of American Journalism* (Dubuque, Iowa, 1969), pp. 132-133.

[43]*Aurora*, March 6, 1797.

[44]J. Thomas Scharf and Thompson Westcott. "The Press of Philadelphia," in *History of Philadelphia*, Vol. II (Philadelphia, 1884).

[45]See, for example, the Boston *Gazette*, Dec. 29, 1789; New York *Journal*, Jan.12, 1792; *Gazette of the United States*, Sept. 26, 1792, March 20, 1798, Oct. 13, 1800; *Aurora*, Aug. 4, 1793, March 10, 1801; Albany *Gazette*, March 13, 1795; Cooperstown Ostego *Herald*, April 21, 1796; New Haven *Connecticut Journal*, April 4, 1799; and *Independent Chronicle*, April 11, 1799.

[46]Leary, p. 212. Freneau's accusation has been challenged indirectly by Philip M. Marsh. He accepted Freneau's and Jefferson's denials of 1792 that Jefferson wrote anything for the paper. See "Freneau and Jefferson: The Poet-Editor Speaks for Himself about the 'National Gazette' Episode," *American Literature*, VIII (May 1936): 273-294.

with contributors. The *Tocsin* of Kennebec, Maine, carried this note to correspondents: "A piece signed by 'An Inhabitant of Kennebec' is received but is totally inadmissible. The author must have forgotten that we have assured the public 'that the Tocsin will ever refuse to vibrate to the discordant sounds of personality.'"[47]

Obviously, editors may be blamed for running scurrility from contributors, but the contributions indicate that scurrility was not confined to journalists; and scurrility would not have been removed from the culture simply if it had not appeared in newspapers. It was pervasive. Private correspondence of non-journalists bristled with charges and name-calling. Insults came from everywhere, and their tone was inspired at least in part by people in high political places. Hamilton claimed that the nation was endangered by the "fangs of Jefferson," who was willing to chance "an eventual schism in the Union" to achieve his ambitions.[48] He named Jefferson and Adams each as an "enemy" of the country.[49] In a pamphlet circulated widely among Federalists, Hamilton said Adams' distinguishing characteristics were "vanity without bounds...ungovernable indiscretion...disgusting egotism...[and] distempered jealousy."[50] Adams and Jefferson were no less rude. The former called Hamilton "a bastard, and as much an alien as Gallatin."[51] Jefferson denounced him as "a man whose history, from the moment that history can stoop to notice him, is a tissue of machinations against the liberty of the country which had not only received and given him bread, but heaped honors on his head."[52]

Such language was not unusual among political leaders. James Monroe charged John Jay with accepting a bribe for signing the treaty with England that bore his name.[53] Theodore Sedgewick, the Federalist Speaker of the U. S. House, declared that Jefferson was "an object of abhorrence & detestation" among "the well disposed."[54] Another Federalist said of the Vice-President: "He has every trait of a Jacobin but his courage; he has all the virtues of a sans-culotte except

[47]Kennebec *Tocsin*, Feb. 27, 1797.

[49]Hamilton to Thedore Sedgewick, May 4, 1800, Henry Cabot Lodge, *The Works of Alexander Hamilton* (New York, 1904), VIII, p. 549; and in John C. Miller, *The Federalist Era 1789-1801* (New York, 1960), p. 92.

[49]Hamilton to Sedgewick, May 10, 1800, John C. Hamilton, ed., T*he Works of Alexander Hamilton* (New York, 1850), X, p. 375.

[50]"Letter from Alexander Hamilton," Concerning the Public Conduct and Character of John Adams, Esq., President of the United States" (New York, 1800), in Miller (1960), pp. 262-263.

[51]Charles Francis Adams, ed., *The Works of John Adams* (Boston, 1854), IX, p. 620.

[52]Jefferson to Washington, Sept. 9, 1792, Paul Leicester Ford, ed., *The Works of Thomas Jefferson* (New York, 1892-1899), VI, p. 106.

[53]In Miller (1960), p. 194.

[54]Theodore Sedgewick to Rufus King, July 1, 1798, C. R. King, ed., *Life and Correspondence of Rufus King* (New York, 1894), II, pp. 352-353.

his poverty."[55] DeWitt Clinton referred to John Swartwout, Aaron Burr's ally, as "a liar, a scoundrel, and a villain"; Thomas Selfridge used similar language in challenging the editor Benjamin Austin to a duel.[56] Federalist congressmen seemed determined to outdo one another in calling Representative Matthew Lyon by such names as a "spitting animal" and a "kennel of filth."[57]

Political passion infected even the religious ministers, and bitterness came from the pulpits. Ministers of Federalist persuasion, rooted as they were in orthodox religious practices and correlating changes in the social structure with assaults on Christianity, were especially critical. Because Jefferson, a deist, was the leading Republican and because Republicans defended the political views of Paine, whom Federalists considered an atheist, Federalists accused the Republican party of being irreligious or anti-religious.[58] The Rev. Cotton Smith claimed that Jefferson had built his fortune by robbing a widow and her children while acting as executor of the family estate.[59] In Massachusetts, according to the vigorously pro-Jefferson historian Claude Bowers, "when the Reverend Ebenezer Bradford espoused the cause of democracy, he was ferociously abused by his fellow ministers...ostracized in the name of Christ by his fellow clergymen, and refused a pulpit in Essex County."[60]

With the leaders of religion and politics using such ideas and language, it is not surprising that crudeness was practiced elsewhere in society. Following the Griswold-Lyon fight in Congress, an English comedian on tour packed the house with his portrayal of "The Beast of Vermont, or, Ragged Mat, the Democrat."[61] As Lyon traveled home after the fight, a band in the Federalist stronghold of Trenton, New Jersey, played "The Rogue's March" when he passed through, and a crowd in New Brunswick taunted him with insults.[62]

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[55]Robert Goodloe Harper, 1798, in Miller (1951), p. 133.

[56]In Frederic Hudson, *Journalism in the United States, 1690-1872* (New York, 1873), p. 264; Boston *Gazette*, Aug. 4, 1806.

[57]Quoted in Miller (1960), p. 209. For other examples of such abusive language by public figures, see Bowers, pp. 281, 360-361, and 401; Cunningham (1957), pp. 75, 201, and 216; Bernhard, p. 333; Sisson, p. 243; Pollard, p. 73; J. Smith, p. 249; and Dixon Ryan Fox, *The Decline of Aristocracy in the Politics of New York 1801-1840* (New York, 1965; original printing, 1919), pp. 81 and 160. If examples of scurrility are more common in newspapers of the period, part of the reason may be simply journalists recorded their opinions with more frequency than did politicians and were addressing mass audiences with whom strong language may have been considered necessary for persuasiveness.

[58]William Linn, "Serious Considerations," pamphlet (New York, 1800), in Cunningham (1957), p. 224; Stewart, pp. 554-556; Miller (1951), p. 25; *Gazette of the United States*, Sept. 2, 1800; *Eastern Argus*, April 27, 1804.

[59]Jefferson to Uriah Gregory, P. Ford, X, pp. 170-173.

[60]Bowers, p. 102.

[61]Miller (1960), p. 235.

[62]Albany *Centinel*, July 31, 1798; *Porcupine's Gazette*, July 23, 1798.

Political gatherings nearly always included imprecations against the opposition. One in Boston included the toast: "The Vice-President [Jefferson]--May his heart be purged of Gallicism in the pure fire of Federalism or be lost in the furnace."[63] Another celebration ended with the salute "[H]earty execrations on the Bastards of France [Republicans] remaining in America."[64] The Federalist Stephen Higginson was so intolerant, according to one historian, that his child, hearing a visitor say that a Republican might be honest, was shocked.[65]

In such an atmosphere, the attacks made on editors for their name-calling often were as abusive as the editors' original offenses. Timothy Dwight, a Federalist preacher, denounced Republican newspapers as the "vice" of the people and called Freneau a "despicable tool of higher authorities."[66] Another minister declared to his congregation: "Many of you in spite of all the advice and friendly warnings of your religious and political fathers have taken and continue to take and read Jacobin papers, full of all manner of mischief and subtlety of the Devil."[67] Federalist Robert Harper on the Senate floor denounced the "filthy streams of certain newspapers,"[68] and Congressman Lyon fumed about "lying Tory papers."[69] Abigail Adams, the President's wife, howled that Bache's *Aurora* was so "wicked and base" and filled with the most "violent and calumniating abuse" that the editor should have been prosecuted.[70] Politicians did not restrict their attacks on editors to words. Editors were condemned officially in legislative resolutions, subjected to trials and imprisonment, attacked by mobs--whose actions sometimes apparently were inspired in some measure by political leaders--and made the target of a number of other punitive acts.[71]

[63]Columbian *Centinel*, July 18, 1798.

[64]Fryeburg (Me.) *Russell's Echo*, Aug. 14, 1798.

[65]Bowers, p. 461.

[66]Timothy Dwight to Oliver Wolcott, in Leary, p. 236.

[67]Quoted in Bowers, p. 156.

[68]*Aurora*, July 7, 1798.

[69]Quoted in Smith, p. 228.

[70]Abigail Adams to Mary Cranch, April 21, 26 and 28 and June 19, 1798, in *ibid.*, p. 191. For other verbal attacks on editors, see *Connecticut Courant*, March 5, 1798; Albany *Centinel*, Aug. 3 and 24, 1798; *Russell's Gazette*, July 16, 1798; *Porcupine's Gazette*, Jan. 9, 1799; Portsmouth (N.H.) *United States Oracle*, March 22, 1800; *Gazette of the United States*, April 16, 1801; *Independent Chronicle*, Oct. 8, 1801; Raleigh *Register*, Dec. 10, 1804; New York *Herald*, Dec. 19, 1807; Fisher Ames to Christopher Gore, July 28, 1798, S. Ames, I, p. 237; Timothy Pickering to John Adams, July 24, 1799, in Smith, p. 278; Pickering in *ibid.*, p. 182; John Walton to Pickering, Jan. 19, 1800, in *ibid.*, pp. 340-341, and in Miller (1951), p. 215; John P. Van Ness to Samuel Smith, Aug. 2, 1802, in Cunningham (1963), pp. 206-207; Harrison Gray Otis to his wife, Feb. 24, 1815, in W. Ames (1972), p. 103; John Allen in Smith, p. 117; and Abigail Adams, in Brigham (1950), p. 61.

[71]See Wm. David Sloan, "The Party Press and Freedom of the Press, 1798-1808," *American Journalism*, IV (1987), 82-96, for examples.

Journalistic scurrility clearly fit the temper of the times; and, although politicians condemned it, they sometimes encouraged or at least inspired it. Politicians were unanimous in the belief that opposition newspapers were bad. The press (meaning the opposition, and rarely the friendly newspapers), they declared, teemed with licentiousness, scurrility, calumny, falsehood, libel, malignancy, abuse, lies, insanity, distortion, invective, and worse--if there could be any such thing. During the campaign of 1800, one Federalist observed:

> The News Papers have heretofore been abandoned beyond all former example; but there is now an effort to concentrate all the mischievous men & designs in the Union, thro' the medium of the press....The press has become a most daring nuisance to society. No purity of character, no integrity of motive can screen a man from detraction of the most gross and abusive kind.[72]

In Republican eyes, the Federalist papers were just as horrid. Pennsylvania's Thomas McKean remarked in 1798 that newspapers were filled with "nothing but ribaldry and billingsgate; the contest has been who could call names in the greatest variety of phrases, who could mangle the greatest number of names, or who could excel in the magnitude of lies."[73] Although Jefferson supported the general principle of freedom of the press, the liberties editors took often angered him. During the 1800 campaign he wrote Monroe, "As to the calumny of Atheism, I am so broken to calumnies of every kind...that I entirely disregard it....It has been so impossible to contradict all their lies, that I have determined to contradict none; for while I should be engaged with one, they would publish twenty new ones."[74] During his second term as President, he lamented that "nothing can now be believed which is seen in a newspaper. Truth itself becomes suspicious by being put into that polluted vehicle."[75]

It is a point of some irony that those politicians who protested attacks on them were the same ones who encouraged papers of their own party which were attacking opponents using similar techniques. Hamilton complained that the design of the *National Gazette* was "to vilify those to whom the voice of the people has committed the administration of our public affairs."[76] When in 1792 he felt the sting of Freneau's barbs he did not think he deserved, he told Washington he could no longer remain quiet. "I feel that I merit them in no degree," he said; "and expressions of indignation sometimes escape me, in spite of every effort to

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[72]Jonathan Trumbull to James Hillhouse, March 3, 1800, in Miller (1951), p. 222.

[73]Quoted in Hart, p. 194.

[74]Jefferson to James Monroe, May 26, 1800, P. Ford, VII, pp. 447-449.

[75]Jefferson to John Norvell, June 14, 1807, *ibid.*, IX, p. 71.

[76]*Gazette of the United States*, July 25, 1792.

suppress them."[77] He made that complaint at the same time that the *Gazette of the United States*, the organ established and continued through Hamilton's support, was leveling its abuse against Jefferson. Later, William Duane described another newspaper founded with Hamilton's aid, the New York *Evening Post*, as one of "full toned grossness and vulgarity."[78]

Jefferson, like Hamilton, frequently complained about his treatment by the press. He felt Federalists had made him "a fair mark for every man's dirt"[79] but contemptuously reasoned that "for the present, lying and scribbling must be free to those mean enough to deal in them, and in the dark."[80] It was this same Jefferson who encouraged fellow Republicans to support papers which were subjecting Federalists to the same treatment Jefferson was getting from the Federalist press. He writhed under the attacks Hamilton made on him in print, pointing out the "venom of the pieces" while Hamilton tried to keep his authorship secret.[81] It was this same Jefferson who more than once appealed to Madison to "take up your pen...and cut him [Hamilton] to pieces in the face of the public"[82] and who contributed to the support of Republican editors, such as Callender, who were flaying the Federalists.

Such two-faced attitudes are explained by an apparent self-righteousness on the part of the antagonists. "It is a curious phenomenon in political history (not easily to be paralleled)," Hamilton declared when he was being criticized in 1792 for his financial policy as Secretary of the Treasury, "that a measure which has elevated the credit of the country from a state of absolute prostration to a state of exalted pre-eminence should bring upon the authors of it obloquy and reproach."[83] In a similar vein, Jefferson confided to his friend Edward Rutledge during the 1796 campaign that because his name had been "lately tacked to so much of eulogy & abuse...I dare say you hardly thought it meant your old acquaintance of '76." Attacks from newspapers, he said, "are hard wages for the services of all the active & healthy years of one's life."[84]

Each side felt that truth was on its side, that its attacks against opponents simply were aimed at and revealed their real faults and vices, and that criticisms from opponents were nothing less than outrageous lies. Federalist papers, complained Thomas Adams of the *Independent Chronicle* in 1798, threw at Jefferson "more corruption and filth than would fill the stables of a modern Augean...[but] when some bold truth is uttered by a Republican, they [Federalists] send forth most pitiful yellings and yet they do not scruple to traduce and calumniate the purest

[77]Quoted in Miller (1960), p. 95.

[78]*Aurora*, July 1, 1802.

[79]Jefferson to Peregrine Fitzhugh, Feb. 23, 1798, P. Ford, VII, p. 208.

[80]Jefferson to Edmund Randolph, Sept. 17, 1792, *ibid.*, VI, p. 112.

[81]Jefferson to Washington, Sept. 9, 1792, *ibid.*, p. 109.

[82]Jefferson to James Madison, July 7, 1793, *ibid.*, p. 338.

[83]Hamilton to Washington, in Miller (1960), p. 95.

[84]Jefferson to Edward Rutledge, Dec. 27, 1796, P. Ford, VII, p. 93.

characters of the Union."[85] Duane said he was proud to be the object of Federalist attacks because "it is a just cause of pride to be an object of fear and hatred to the vilest men in a country."[86] With the Sedition Act nearing expiration in 1801, some Federalists actually favored extending its life because it provided that truth could be presented as a defense in a prosecution for libel. Anything they might say about Jefferson, they apparently believed, would be the truth. "We may want this law as a coat of armor," Senator Robert Harper said, "to defend us from persecution."[87] Fisher Ames urged Federalists to stand up for right. "The devil of sedition is immortal," he said, "and we, the saints, have an endless struggle to-maintain with him."[88]

While Jefferson may not have had scurrility in mind when he told Republican editors that they were "inculcating genuine principles of our constitution,"[89] his praise certainly did not discourage any of their disreputable practices. Newspaper abuse often simply echoed the views of party leaders in shrill campaigns.[90] Even Washington, who tried to remain aloof from partisan squabbles, could overlook Cobbett's abusiveness and praise his work. Referring to a pamphlet defending Washington against attacks from Paine, the President remarked, "Making allowance for the asperity of an Englishman; for some of his strong and coarse expressions; and a want of official information of many facts; it is not a bad thing."[91] Callender justified his language by pointing to that of politicians. Alluding to the fact that John Taylor of Caroline had said Timothy Pickering, Secretary of State, should have been placed in a madhouse, Callender explained, "With such a specimen of frankness, it will hardly be said that my stile is a great deal broader than that of Mr. Taylor."[92]

Yet even in such a climate, the press' methods as a whole displayed variety and frequent quality. Although newspapers operated in a crude environment, they made use of many techniques and often provided well-reasoned articles. Editors at times wrote with artfulness and insight. Historians have emphasized scurrilityso much that the fact has been overlooked that editors were sometimes calm and judicious in their arguments,[93] that their writing displayed a wide breadth of politi-

[85]*Independent Chronicle*, Sept. 13, 1798.

[86]*Aurora*, July 1, 1802.

[87]Quoted in Miller (1951), p. 228.

[88]S. Ames, I, p. 130.

[89]Jefferson to Anthony Haswell, Sept. 11, 1801, in Cunningham (1963), p. 248.

[90]J. Smith, p. 26; Alfred F. Young, *The Democratic Republicans of New York: The Origins 1763-1797* (Chapel Hill, N. C., 1967), p. 138.

[91]Jan. 8, 1797, John Clement Fitzpatrick, ed., *The Writings of George Washington* (Washington, 1931), XXXV, p. 360.

[92]Quoted in Miller (1951), p. 213.

[93]*Aurora*, Oct. 11, 1791, and March 28, 1808; New York *Argus*, July 7, 1796; Annapolis *Maryland Gazette*, Sept. 11, 1800; *National Intelligencer*, April 4, 1804.

cal knowledge, that they provided what appear to have been effective defenses of their causes,[94] and that in stylistic approaches they displayed as much variety as the editorial writers of today do with their cold, factual, documented, dispassionate approach. The editors of the party press, working in a relatively unsophisticated social and journalistic period, promoted their causes in ways that fit the situation. Scurrility was only one of their methods. While condemned by historians, even some of it played a legitimate political role.

[94]On the issue of Jefferson's religion, for example, see Republican defenses in the *Aurora*, March 31, Sept. 20, and Oct. 14, 1800, and Dec. 16, 1801; *Independent Chronicle*, June 30, Aug. 18, and Sept. 18, 1800, and Aug. 24, 1801; *American Mercury*, Oct. 2, 1800; and *Eastern Argus*, Aug. 30, 1804.

BOOK REVIEWS

Printers and Press Freedom: The Ideology of Early American Journalism. *By Jeffery A. Smith.* New York: Oxford University Press, 1988. 233 pp. Cloth, $24.95.

Jeffery A. Smith of Iowa State University has created out of his doctoral dissertation a valuable book on the roots of the free press in America. He has traced the development of the liberty of the press back to the English experience and then worked his way through the American colonial and revolutionary periods. Then he has covered the issues involved in the formation of the First Amendment to the U.S. Constitution and its subsequent ratification. Finally, he has dealt with the Alien and Sedition Laws of 1798. Smith completed his dissertation in 1984 at the University of Wisconsin under the supervision of Prof. Jim Baughman.

Smith's purpose is to attempt to refute the claim Leonary Levy made in his 1960 book *Legacy of Suppression* that the tradition of freedom of expression in early America was not a libertarian one. Smith maintains that the theory of freedom of the press in the America of the 1700s was indeed a libertarian one -- "remarkably lucid and dynamic" (vii) -- standing on three foundations: rejection of the controls of the press exercised in England, acceptance of the "marketplace of ideas" concept to protect attacks upon authority, and agreement with the Enlightenment ideas of social progress and political structure.

Smith places considerable emphasis on the "radical Whig" ideas of John Trenchard and Thomas Gordon, who published their views in the *British Journal* and the London *Journal* under the pseudonym "Cato." They stressed the dangers of arbitrary rulers, money interests, and public corruption. Editions of *Cato's Letters* were immensely popular in America, where journalists imitated the authors and cited them in fighting for a free colonial press. Also reprinted, especially in the South, were articles from the English *Craftsman*, published by Henry St. John, Viscount Bolingbroke. In his reference to Trenchard and Gordon, Smith reflects the ideas propounded by Bernard Bailyn in *The Ideological Origins of the American Revolution* (1965), which argued that the ideas of England's "Commonwealthmen" on religious and political freedom had been transmitted directly to the colonies.

If you are looking for up-to-date references on the colonial newspaper and the issue of press freedom in various colonies, Smith supplies these in great abundance in his sources and footnotes. Many of his citations are from dissertations in various universities and from articles in out-of-the-way magazines. He states he has read 8,000 issues of eighteenth-century newspapers and visited sixteen libraries and archives in six states to gather the material for the book.

The book is written in a scholarly style for historians of the colonial period

and also for those who teach journalism history. They might appreciate the results more if the book focused less on the abstractions of free press development and more on the specific reasons for the fights which English and American journalists had with each other and with the authorities. Sometimes these quarrels are mentioned briefly, but could be analyzed more fully, and the background of the fights analyzed for a broader picture of the reasons behind the development of the free press, so important to the nation and in the history of the media.

While Smith has not put an end to the controversy among historians over the nature of early American thought, there is no question that he has done a valuable job of piecing together some of the various influences that shaped the development of the free press concept in England and early America.

Sidney Kobre

The Last Linotype: The Story of Georgia and its Newspapers Since World War II. *By Millard B. Grimes.* Macon, Georgia: Mercer University Press, 1985. 673 pp. Cloth, $24.95.

This extensive account of the people and events shaping the contemporary evolution of Georgia's newspapers should be as valuable as it is interesting -- especially for those of us who are afflicted with a lifelong fascination with journalism.

One of the first thoughts that comes to mind when you pick up Millard Grimes' tome is that there should be more like it.

Thanks to chief editor and writer Grimes and his five contributing editors, Calvin Cox, W. H. Champion, Tom Sellers, Bo McLeod, and Richard Hyatt, as well as the previously published *Georgia Journalism, 1763-1950*, a narrative of the state's newspapers and newspeople is now complete.

In ten chapters and more than 600 pages, we learn, often firsthand, about the rise and demise of newspapers from the major dailies in Atlanta to the smaller dailies in Augusta, Savannah, and Macon, from the surburban press to the community press. A separate chapter, drawing on Grimes' 27-year association, is devoted to Columbus and its newspapers. Also included are a history of the Georgia Press Association, sponsor of the book, and an annotated listing of the state's 152 current weeklies.

The Last Linotype tells its story through the eyes and personal experiences of the editors, reporters, and publishers involved. As Grimes points out, "This book concentrates on people, and on the challenges which newspapers faced as businesses and information media. There is less emphasis on their daily performance or on the positions they took." Nevertheless, adequate summary and overview are provided to contribute essential perspective on the dynamic thirty-five years covered here. In this regard, especially in chapter I, "The Great Newspaper Era," and chapter II, "The Last Linotype: An Easier Way to Do It," the book of-

fers excellent insights into the newspaper craft and business, including technology and ownership changes which have revolutionized the press in many ways during our lifetime.

Frank B. Kalupa
University of Alabama

Heckling Hitler. *By Zybneck Zeman.* Hanover, N.H.: University Press of New England, 1987. 128 pp. Index. Cloth, $25; paper, $14.95.

Heckling Hitler is a frustrating book. For those interested in learning about Hitler's rise and fall, events are glossed over in 121 pages. For those interested in caricature and cartoon, presumably the primary audience for a book subtitled "Caricatures of the Third Reich," it is a disappointment. Written by a research professor in European history at the University of Oxford, it was first published in Great Britain in 1984.

The book lacks focus. Zeman states that caricature took a place of honor in the campaign against Hitler, but in the next paragraph he seems to hedge about its role and writes that caricature ". . . provided a reliable commentary, or at least a description of Hitler's political progress." (p. 121) What *is* Zeman's analysis of the effect of caricature in the Third Reich? If, as the author alleges, "Caricature helped to shape attitudes of Hitler and his creatures inside and outside Germany" (p. 13), why were the cartoons opposing the Nazis not more effective? Why are we shown only anti-Hitler cartoons? It might be argued that within Germany pro-Hitler cartoons were more effective in swaying public opinion.

Zeman does not explain why he focuses on the work of David Low, George Grosz, John Heartfield, and Daniel Fitzpatrick (who is erroneously called David Fitzpatrick throughout the book). Certainly these were major figures, but the author's emphasis on their work should be explained.

Heckling Hitler provides no theoretical analysis of the cartoons shown. Zeman does not consider how they commmunicated to readers. He also does not consider how cartoon art may be used to dehumanize the enemy in spite of several excellent examples of this in the book. The symbolism used in the cartoons is a third area which merits greater consideration.

For the American reader, the cartoons by German and Eastern European artists are quite interesting. The illustrations suffer from poor layout. Cartoons are grouped with one paragraph describing several drawings. This confuses the reader as to which caption belongs to which cartoon. For a number of the cartoons, the date and place of publication are not given, a serious drawback when changes in public opinion need to be documented.

Heckling Hitler is the kind of pop history which does a disservice to those who wish to take political caricature and cartooning seriously. The researcher

seeking to document this aspect of journalism history in Nazi Germany should see W.A. Coupe's *German Political Satires from the Reformation to the Second World War*, Part III 1918-1945 (Krause: 1985).

Lucy Caswell
Ohio State University

Skepticism and Dissent: Selected Journalism, 1898-1901. *By Ambrose Bierce.* Edited with an introduction by Lawrence I. Berkove. Ann Arbor: UMI Research Press, 1986. 295 pp. Index. Cloth.

This is a revision of the 1980 edition, but little has changed. Berkove has added some annotations and corrected a few errors, but the book still consists of seventy articles that Bierce wrote for the San Francisco *Examiner* and the New York *Journal*, William Randolph Hearst's two newspapers.

Much of Bierce's writing has been collected already, but this is a significant chunk of his journalism, and it is to the publisher's credit that it is being kept alive with a second edition because this collection of commentary reinforces the opinion of those who consider Bierce a perceptive and feisty cultural critic, and perhaps one of the best of his age.

The title is particularly appropriate. Bierce does indeed come off as skeptical and dissentient, and when those qualities are combined with the "graceful ferocity of his wit," as Berkove puts it, the articles are delightful reading. When a Spanish-American War colonel refuses to allow the press to poll his men as another officer has, Bierce calls the colonel braver than the other officer who, he says, has caved in to the newspapers and "permitted his camps to be infested with fool women, faking religionaries, flag-wavers, pie-fiends, button-wumps, futilitarians, sentimentaliters, wild asses generally and all kinds of the unearthly disastrous." To a reader who accused Bierce of being un-American and undemocratic, Bierce writes, "I feel for you. Not irritation; nor contempt -- just comfortable consciousness of your shorter remove from the ancestral hilltribesman, in session on his hairy haunch and dining neighborly upon adjacent riverfolk." Questioning the importance given to such Americans as Washington and Lincoln, he says: "What kind of greatness is that -- to do what another could have done, what was bound to be done anyhow? I call it pretty cheap work. Great statesmen and great soldiers are as common as fleas; the world is lousy with them."

In some ways, what might have been seen as dissension from the mainstream actually was an endorsement of positions probably held by a majority of the population. For instance, the articles show that Bierce had no patience for political activism or for notions of equality for blacks or non-whites, not so much because he was a racist -- although he was to a degree -- but because he didn't think such notions fit political realities and the distribution of power. Nevertheless,

readers might find disturbing such statements as this about black freedom: "As to your dream of political equality, that is all coonshine." Or in urging that the United States simply go in and take control of the Philippine Islands and the people there without any allusions to noble intentions, he says: "The entire business of being a nation is as innocent of morality as that of a thief or a pirate. Diplomacy is the art of getting what you can in exchange for what you cannot." Don't try to help those in the city slums, he advises, because "poverty and misery are largely hereditary."

Many of these articles deal with the war with Spain, and unfortunately in his introduction Berkove makes claims for Bierce's commenatry that are not substantiated by either Berkove or Bierce's writing. Bierce was highly critical of America's war correspondents and of military conduct in the war. Much of that criticism was based on his own experience in the Civil War, and too often Bierce sounds like a war veteran telling stories rather than someone with military expertise, as Berkove would have it. Bierce might have been one of the only strong voices accurately assessing the war, but it is highly doubtful that he "was a better war correspondent than many of the professional journalists who were on the scene," as Berkove claims. That statement shows an ignorance of the development of reporting and commentary as separate areas of journalism, as well as an ignorance of the development of the war correspondent as a citizen witness, not as a military scientist, as Bierce and Berkove would prefer.

Thomas B. Connery
College of St. Thomas

Mencken and Sara, A Life in Letters. *Edited by Marion Elizabeth Rodgers.* New York, N.Y.: McGraw-Hill, 1987. 551 pp. Cloth, $22.95.

In 1930, when Henry Louis Mencken married Sara Powell Haardt, a young writer from Alabama, tongues wagged. After all, the Sage of Baltimore had once gone on record defining love as "the delusion that one woman differs from another." For her part, the bride also once had expressed reservations about marriage, saying, "it isn't life, it isn't everything." During their seven-year courtship and five years of married life, cut short in 1935 by Sara's death from tuberculosis, the couple exchanged some seven hundred letters.

Mencken was 42 and at the height of his career as a journalist and editor in 1923 when he met Sara Haardt, a 24-year-old graduate of Goucher College then teaching English there. Soon she was sending her short stories to Mencken at the *Smart Set* and the *American Mercury*. Their correspondence traces the gradual evolution of their mentor-and-admirer friendship into a deep-abiding love.

Shortly after the death of his beloved, Mencken wrote to George Jean Nathan, his *Smart Set* co-editor and literary partner. All Mencken said was, "It was a

beautiful adventure." Typically he was reluctant to bare his most private feelings. Therein lies the value of *Mencken and Sara.* Mencken scholars will find it a charming, touching, and fascinating account of an area of Mencken's life that has not been before uncovered. Together, the letters reveal a new, richly compassionate aspect of Mencken's character. In some ways the account is reminiscent of C.S. Lewis's *Surprised by Joy*, the long-time bachelor's story of his marriage late in life to a soul mate who also died too soon. A similar maturing of Mencken's perspective and depth of feeling is movingly apparent in *Mencken and Sara.*

The letters also give a witty, sometimes irreverent view of life during the 1920s and 1930s, when the Menckens' friends included such literati as Dashiel Hammett, Alfred Knopf, and James M. Cain.

The biographical value of *Mencken and Sara* is inestimable. Not only for what the letters reveal about Mencken, including his unusual talent for nurturing young writers, but for what they reveal about Sara Haardt. Until now, little was known about her life or the work she left behind, some forty short stories and two short novels that explore Southern traditions. Marion Elizabeth Rodgers has rectified this problem superbly with an absorbing, detailed introduction that provides a background of Southern life, culture, and literature against which to understand Sara Haardt. A fine preamble to the well-annotated letters, it is gracefully written and flawed only by genderized language and inadvertently sexist expressions. Ironically, the introduction, which aims to consider Sara Haardt on her own merits and not simply as the wife of H.L. Mencken, occasionally uses expressions such as "man and wife," "man" (for humanity or humankind), and "Goucher girls" or "coeds" (for the women students of Goucher College). Picture captions sometimes refer to "Mr. and Mrs. Henry Louis Mencken." At the very least, these examples point to a need for more sensitive editing. Nevertheless, *Mencken and Sara* is a valuable work which will be essential reading for those interested in the historical relationship between literature and journalism.

Nancy L. Roberts
University of Minnesota

London Newspapers in the Age of Walpole: A Study of the Origins of the Modern English Press. *By Michael Harris.* Rutherford, N.J.: Fairleigh Dickinson University Press, 1987. 255 pp. $33.50.

This is a book that all British and American journalism historians should read. It takes us back to an age of cultural eloquence in England, to a time when the country was emerging as a great world power. It was also the time in which a number of England's domestic institutions gained stability and began to acquire their modern posture. England's press exemplified that development. In retrospect it may seem strange that the name of Sir Robert Walpole, that rather prosaic if

astute master of managerial politics, should be so often associated with the age and its achievement. Yet his subtle handling of the affairs of state and the durability of his administration did leave a deep impression on the age. They produced conditions conducive to institutional development. This was true in the case of the London press, for, as the author contends, it was during Walpole's time that it acquired the patterns of organization and content that would characterize much of its future growth.

In the present study, Michael Harris provides a successful and enlightening inquiry into the nature of the early eighteenth-century London press. He avoids the basic distortions that too frequently, in his estimate, characterize the press history of the time. "The preoccupation with the political involvement of the Engish press and with the attempts at legal restraint," he explains, "has led to the consistent highlighting of periods of crisis." (p. 7) He contends that historians have been too drawn to the press during particular times of political excitement such as that surrounding the Wilkes affair. The result is that newspapers have achieved only an "erratic visibility" in eighteenth century history. Harris also observes that the fine recent work in the field by historians such as G.A. Cranfield and R.M. Wiles, by stressing the provincial press, offers an "inherently off balance" picture of the British press. By contrast his study concentrates on the London press in the 1720s, '30s, and '40s. I was then, he argues, that the major shift in the nature of the London press occurred. Harris claims that it was "during this period the elements of organization and control were assembled that were to contribute to most of the tensions and conflicts as well as to the more positive developments of the next two hundred years." (p. 9) To substantiate that claim, he examines the physical appearance, distribution, financial supports, ownership, and personnel of the London papers as well as their content and relations to the political establishment. His detailed inquiry into these topics produces convincing suport for his interpretation, and it is restrained by reserved judgment when required by incompleteness of record. These things alone would make the study worthwhile.

There are, however, additional features that enhance the book. For instance, it draws attention to the role the London booksellers played in creating a sturdy commercial structure for the press. Based on his examination of remaining ledgers and minutes, the author assembles convincing proof that they played a larger role in the development of the press than is normally supposed. He argues that these booksellers as a group "can be seen as the first press established." (p. 196) Furthermore, it is obvious that the book's narrative is informed by the author's wide knowledge of the field and by his sharp understanding of all matters of historical context. Finally, one would be remiss in reviewing this book without reference to the research on which it is based. That research is formidable enough to serve as a model for others in journalism history to emulate. Aside from including a comprehensive array of traditional and current secondary sources, the study rests on numerous published, primary materials. The author also used 102 Lon-

don newspapers pertaining to the subject and thirty-seven collections of various sorts of manuscript materials.

London Newspapers in the Age of Walpole makes a significant contribution to the growing body of scholarly work in British journalism history that has appeared in the last decade or so. Too frequently the early eighteenth-century English press has been given scant, or distorted, attention. The tendency is to see it as a forerunner of better things to come. American journalism historians tend to view it as a background, interesting in selected spots, to the evolution of the colonial and revolutionary press. This volume will help to correct these faulty approaches. It adds a sense of reality to its subject.

James D. Startt
Valparaiso University

The Ethnic Press in the United States: A Historical Analysis and Handbook. *Edited by Sally M. Miller.* Westport, Conn.: Greenwood Press, 1987. 437 pp. Cloth, $65.

In 1732, Benjamin Franklin published the first foreign-language newspaper in America, the Philadelphia *Zeitung*, directed at the city's German population. By 1900, there were more than 1,000 foreign-language newspapers and magazines published in the United States. By 1917 the number had grown to at least 1,300. New York City alone was the home for thirty-two dailies -- ten in German, five in Yiddish, two in Bohemian, and one each in Slovakian, Slovenian, and Croatian. The numbers are considerably smaller today, yet the ethnic press continues to thrive. No longer, however, is it dominated by European groups; today's ethnic newspapers are more apt to be Hispanic or Asian, representing contemporary emigration trends.

Miller's book discusses the newspapers of twenty-eight groups ranging from Arabic to Ukrainian, each chapter written by a scholar of that particular group. In addition to providing brief histories, most authors discuss the relevance and functions of ethnic newspapers as they relate to their particular ethnic community. Most ethnic papers serve dual purposes -- preservation and assimilation. Sometimes, obviously, the purposes conflict, but in many cases they function quite well within the same publication. A newspaper will help preserve the homeland's culture, defining it to new generations, yet also interpret mainstream American culture to its readers, assuming most of them want to prosper and, at least to some extent, participate in American life.

Miller explains that she did not include black and native American presses because they do not reflect the "immigration and adaptation proceses." She notes the book focuses on "groups which typically chose to immigrate to the United States and underwent the subsequent adjustment process." However, this fails to

explain the book's exclusion of today's major emigrant groups from the Middle East and Asia, particularly the Vietnamese, since the United States has become home to a flourishing Vietnamese press that serves major Southeast Asia communities in California, Texas, Louisiana, Washington, D.C. -- even Wichita, Kansas.

Although Miller notes the book is specifically concerned with newspapers, it would have been stronger had it given serious attention to the role of the ethnic electronic media in ethnic communities. To its credit, however, the chapter on Mexican Americans discusses the importance of Spanish-language television to Hispanics.

In the introductory chapter, Miller discusses several factors which have contributed to today's ethnic press resurgence. The factors, which range from an increase of Americans proficient in foreign languages to a "revival of ethnic consciousness" as a result of America's civil rights movement, are particularly helpful when applied to the various ethnic communities and the presses that serve them.

The book is a "must" for libraries and persons concerned about the ethnic press and ethnic communities in the United States. It abounds in history, analysis, and details, not to mention the valuable footnotes and bibliographies that follow the respective chapters.

L. David Harris
Point Park College

Newspapers: A Reference Guide. *By Richard A. Schwarzlose.* Westport, Conn.: Greenwood, Press, 1987. xxxvii, 417 pp. Index. Cloth, $55.

This book should prove a useful resource work for journalism historians. It consists of two main features: bibliographical lists on ten separate topics and a series of bibliographical esssays. Richard Schwarzlose, its compiler, teaches journalism history at Northwestern University; and his interest in history shows clearly in his choice of material. Although the book is intended as a reference on the newspaper field in general, he devotes a large proportion of it to historical topics. It includes material on newspaper histories, journalists and their work, producing newspapers, press law and freedom, newspapers and society, technology, reference works and periodicals, and research collections.

The bibliographical essays average about thirty pages each and give brief synopses of scores of books, frequently including revealing information about authors' backgrounds. They exhibit a wider familiarity with historical works than most other essays on journalism historiography have shown, and Prof. Schwarzlose avoids the error of ascribing virtually all historical works to one monolithic "Whig" or "Progressive" school as some other writers have been prone to do.

Although the book has obvious value for the researcher, one needs to be alert to its limitations. First, it deals almost exclusively with book-length works and,

with few exceptions, includes hardly any references to journal articles. Neither is the list of books complete. Although the bibliographical lists fill approximately 100 pages, they omit a sizable number of books. Just for a quick check, I compared the history books on one shelf in my office with the bibliographical entries. Of the twenty-three on the shelf, all of which are about mainstream newspaper history, eleven were not included. Because of the omission of articles and perhaps forty to fifty percent of books, the historian wishing to do a literature search can use the Schwarzlose book only for a guide to a small protion of the works published on a particular topic. But -- to emphasize its usefulness -- it will provide an excellent starting point.

The researcher also should be alert to the essays' occasional failures to perceive subtleties in historians' approaches. Of necessity, most of the synopses are brief and therefore unable to explore perspectives in detail. But some simply do not show keen discernment. Willard Bleyer, to give only one example, is erroneously called a Progressive historian (p. 6). In fact, while he was a combination Progressive/classic nineteenth century liberal, he did not write from the point of view of the Progressive school of history. Rather than emphasizing conflict and sympathizing with the "masses," as Progressive historians did, Bleyer placed a strong emphasis on the need for the press to operate with professionalism and propriety in its service to society, and he was contemptuous of the "unthinking masses" (*Main Currents in the History of American Journalism*, p. 292). While discerning the difference between a Progressive and a Progressive historian may not be simple to do, such insight is necessary for superior historiography. While Prof. Schwarzlose's essays are more sophisticated than several earlier, popular essays that have been published, nevertheless a keener understanding of some historians and of historiographical trends would have made his more valuable.

Despite such flaws, this book is certainly one that historians should have on their shelves or, if the price tag is prohibitive, at least on the university library's.

Wm. David Sloan
University of Alabama

Milestones in Mass Communication Research. *By Shearon A. Lowery and Melvin L. De Fleur.* New York: Longman, 1988. 448 pp. Index. Paper. $16.95.

Shearon A. Lowery and Melvin L. De Fleur's *Milestones in Mass Communication Research*, now in an expanded second edition, may be a better book to teach against than with.

But first let us give the book its due. The organization is practical. *Milestones'* chapters reprise the greatest hits of the effects tradition. Among the thirteen stud-

ies profiled are classics such as the Payne Fund studies of movies, Paul Lazerfeld's *The People's Choice*, Elihu Katz and Lazarsfeld's *Personal Influence*, Hadley Cantril's *The Invasion From Mars*, and the Yale University persuasion studies. *Milestones* also features a new chapter on agenda-setting research, four chapters on the effects of television (two of them new), and a conclusion that summarizes the shifts in research concerns and methods. The book's introduction, which explores the origins of modernity and the mass society debate, is useful but too pat. Finally, Lowery and De Fleur clearly explain each study's research questions, methods, and social context.

My main misgivings concern the tone and ideological bent of the book. *Milestones* reads like corporate history. It speaks with cheery self-confidence about researchers on the "cutting edge" -- dedicated professionals who have generated "an impressive number of empirical generalizations, concepts, theoretical paradigms, hypotheses, research strategies, and methodological techniques." (p. 425) *Milestones*, in short, is traditional history written in the tired idiom of positivism. It implicitly professes indifference to the intellectual or social politics of communication research.

Consider, for example, the book's logic for selecting topics. To be included, a research study had to be a book-length investigation of effects rather than processes and had to have played "a significant role in the development of the field." (p. xvii) Though Lowery and De Fleur say they at first worried about others' reactions to their selections, they need not have. Their definition virtually guarantees that all the works chosen will be administrative research -- large-scale team projects financed by well-heeled American corporate, government, or university sponsors. In such a scheme there is no place for Robert Park, Raymond Williams, Richard Hoggart, Stuart Hall, Theodore Adorno, Leo Lowenthal, Walter Ong, Harold Innis, or Marshall McLuhan. Not even the influential (and conventionally sociological) work on newsmaking by Herbert Gans, Gaye Tuchman, and others can make this cut.

By canonizing administrative research Lowery and De Fleur relegate oppositional traditions to being contributors to "the field." The worst instance is the authors' superficial account of the "meaning paradigm" -- the idea that communication is the process by which humans symbolically construct definitions of self and society. Lowery and De Fleur treat that paradigm as simply a recent development in a continuous research tradition. But for fifty years the investigation of meaning has offered historians, literary critics, and other intellectuals a way to *contest* the assumptions and methods of effects researchers.

Like other recent devotees of communication as a science, Lowery and DeFleur have embraced history in order to discipline the future. A phony spirit of pluralist bonhommie -- we are all in this research gig together -- glosses the more critical questions about the character of communication research as a social practice. Never do Lowery and De Fleur acknowledge the now sizable number of people who wonder whether those so-called milestones were not themselves a social pa-

thology that deserves a more detailed diagnosis. Lowery and De Fleur willingly abandon the crude older terms of effects anaylsis for newer terms like *meaning* and *cognition*, but hold on to the dream of a communication science. The old words are gone, but the malady, unfortunately, lingers on.

John J. Pauly
University of Tulsa

Mass Communication in Canada. *By Rowland Lorimer and Jean McNulty.* Toronto: McClelland and Stewart, 1987. 334 pp.

Politics and the Media in Canada. *By Arthur Siegel.* Toronto McGraw-Hill Ryerson, 1983. 258 pp. $14.95.

With a free-trade treaty ready to turn the area from the Arctic Circle to the Rio Grande into a vast North American version of the European Common Market, the time is ripe for media historians and journalists to learn a little more about Canada and its unique media blend of private enterprise and government particiapation.

Lorimer and McNulty's text provides the broad overview of why Canada's communication system has diverged from some of the U.S.'s philosophical approaches while converging with American capitalism. Siegel gives us a deeper and richer historical background, describing a parochial press which has contributed to the lack of a national voice to draw Canadians together.

Neither of Canada's mother countries, France and Britain, was dedicated originally to freedom of the press at home or abroad, Paul Fox notes in the foreward to Siegel's book. New France had no media as we know the media; and whenBritain took over the Canadian colonies, publishers survived by printing government documents rather than newspapers.

Printers emigrating from the United States to Canada brought with them the doctrine of the freedom of the press found in the American Constitution, but the principle was not established in Canada until independent-minded journalists such as Joseph Howe and William Lyon McKenzie engaged in struggles that caught the public's attention. Other journalists followed in their footsteps, and journalism became a common entry point into politics. Twenty-three of the delegates to the Charlottetown Convention that led to Canada's 1867 confederation were journalists.

In contrast to a strong historical setting of the media, the Lorimer-McNulty text emphasizes a Canadian perspective that puts the interests of Canadians at the forefront. Such an "anti-colonial" bias means a book that avoids continual reference to research produced by other nations that defines their national interests in "as-if-universal" terms and overlooks Canada. By not following such literature

closely the authors avoid being drawn into particular concerns, conceptions, and ideological tricks. The authors state while such non-Canadian literature has great value, the British is possessed by "class considerations" and the American by "Pax Americana" or overemphasis of U.S. values while ignoring other cultures. A preoccupation with either of these ideologies is, to the Simon Fraser University professors, "an unaffordable dalliance" for Canadians.

In all, the Lorimer-McNulty and Siegel books, along with Wilfred Kesterton's *A History of Journalism in Canada*, provide a fine start for getting a historical and modern feel for the media system of our 14,000,000 northern neighbors who, like us, are among the world's greatest consumers of information.

Alf Pratte
Brigham Young University

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FROM THE EDITOR

In this issue, *American Journalism* continues its series of essays on mass communication historiography. It is projected as a seven-year project covering the most important subjects that historians have addressed. When the series is completed, we believe it will comprise one of the most valuable research projects ever done on mass communication history.

The essay in this issue covering freedom of the press from 1690 to 1801 will be followed by an essay in the fall issue by Timothy Gleason on press freedom since 1801.

Scholars interested in contributing essays to the series are invited to submit proposals to the editor. Proposals should briefly describe the topic and indicate the scope of the study and the author's credentials for doing the essay. Typical topics as the penny press, Civil War journalism, the press and government, women and the press, the black press, Gilded Age journalism, and other major periods or subjects.

This series is intended to analyze the schools of interpretation through which mass communication history has passed. It also will provide insightful overviews of the study that has been done on the major topics in mass communication history. We believe it will provide a stimulus of immeasurable value to our field.

"A Brave and Beautiful City": Henry Grady's New South

by Harold E. Davis

In a justly famous monograph, Richard C. Wade studied the rise of cities in the American West and concluded that they often behaved like imperial states. "Like imperial states, cities carved out extensive dependencies, extended their influence over the economic and political life of the hinterland, and fought with contending places over strategic trade routes....Like most imperialisms, the struggle...left a record of damage and achievement."[1] It is the contention of this essay that, in the 1880s, the New South Movement, at least in Georgia and perhaps elsewhere, can be understood in great part in terms of the pattern of urban imperialism Wade described. Under the umbrella of the safe and irreproachable ideas to which the Movement laid claim, and under the spell of the magnificent oratory which accompanied it, Georgia cities fought one another for influence, leaving, as Wade says, a record of damage and achievement.

This study examines the role of Atlanta in the New South Movement during the 1880s as seen through the activities of its principal leaders, personal and institutional. The foremost leader was Henry W. Grady, managing editor of the Atlanta *Constitution* after 1880. Working in coalition with him were his colleagues at the newspaper and the newspaper itself, plus their numerous allies. The study demonstrates that Atlanta, a relatively new city in Georgia, was interested in establishing its political dominance in the state and was much concerned with solidifying and extending its economic base.

When the New South Movement is mentioned, one thinks first of the program to industrialize the South following Reconstruction; yet there was more to it than industrialization. It had an agricultural component which promised prosperity to farmers then in the midst of what is often called the Long Depression. It also had an element which dealt with the Negro and with race relations. Because blacks were about as numerous as white people, they could not be ignored. As a corona above the industrial, agricultural, and racial elements, there glimmered a comfortable theme: national reconciliation. The defeated Southerner would love his Northern victor and be loved, respected, and understood in return. This idea was magnificently publicized. When the decade of the 1880s was over, it was

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[1]Richard C. Wade, *The Urban Frontier: The Rise of Western Cities, 1790-1830* (Cambridge, Mass., 1967), 322-336. The quotation is from 336. The strife and conflict within the New South Movement is a significant part of C. Vann Woodward's monumental work, *Origins of the New South* (Baton Rouge, La., 1971), first published in 1951.

said that Henry Grady had loved his nation into peace.

Grady and his newspaper had much to say about each of these aspects of the movement, and they did a great deal about each of them. What they did, however, was not to be confused with what they said. The two were not the same thing. For this study, Grady and the newspaper can be considered as one because he and his editors and co-owners correlated their positions on public issues at a meeting held at nine o'clock each morning in the *Constitution* offices. They disagreed publicly only once in ten years, and then on an issue not related to the subject of this article.

One must say right away that all of the New South leaders, Grady and his associates among them, enjoyed standing at the head of their movement, for they were a cheerful group of optimists. They promised something for everybody: prosperity for Southerners who would work in new factories; better times for farmers; justice for blacks; and generous feelings toward their recent conquerers.

The Atlanta leadership, however, wanted more than the general benefits deriving from such a program. They wanted advantage for their city. In Georgia, the dominance of Atlanta was perhaps indicated by 1880, but it was not established. Macon and Augusta saw themselves in that role, and Savannah and Columbus had a keen interest in how they fit into the prosperity and politics of the state. Lesser cities, especially Athens and Milledgeville, kept up activities in their own behalf while casting a baleful eye upon Atlanta.[2]

Atlanta had a great advantage. It was originally built as a railroad junction to serve the interests of other cities, but it took on an unexpected life and shortly showed signs of surpassing the locales that had cooperated in its creation. By 1861, for example, there were five trunk lines of railroads connecting ten Southern states. Three of them ran through Atlanta.[3] In the 1870s and 1880s, railroad construction continued, both of trunk lines and of connecting feeder lines, many of them of narrow gauge. Atlanta was a huge beneficiary of the trade that passed over them.

The tactics of the Atlanta leadership were always interesting. From time to time, Grady and the *Constitution* would refer to their rivals in harsh language, but they uttered many of their discountenances in the form of raillery, an exaggerated species of joking that at its worst was akin to sarcasm and that at its best was merely amusing to those not on its receiving end. Such distant places as St. Louis, Missouri, and Louisville, Kentucky, were the recipients of such attention whenever their own interests seemed about to cross those of Atlanta, or, more often, whenever they criticized the reputation of Atlanta. Charleston, South Carolina, and Mobile and Birmingham, Alabama, were subject to these treatments when they were not otherwise the objects of disarming and sometimes unjustified praise. Distant rivals usually got gentler treatment than those nearer home.

Augusta and Macon, Georgia, and to a lesser degree, Columbus and Savannah,

[2]What Atlanta wanted and how it set about getting it is documented in Harold E. Davis, "Henry W. Grady, Master of the Atlanta Ring--1880-1886," *Georgia Historical Quarterly*, LXIX, No. 1 (Spring, 1985), 1-38.

[3]John F. Stover, *The Railroads of the South, 1865-1900: A Study in Finance and Control* (Chapel Hill, N. C., 1955), 11.

were enemies close at hand; and for them, the most specialized distillments of word and deed were concocted in the offices of the *Constitution*. Atlanta was both a political and a commercial rival of those four places. Not one of them should have been surprised that Atlanta was not their friend. Under their own sets of leaders, all of them, and especially Augusta and Macon, sought to thwart Atlanta as best they could. Atlanta, after all, was an upstart, a new city compared to them, and in the 1880s still vulnerable.

By May 1882, Atlanta was offending its neighbors by claiming to be the manufacturing center of Georgia and of surrounding states, a claim based upon a particular interpretation of statistics from the United States Census of 1880. Either Macon or Augusta, by a different use of the figures, could have made a colorable claim to the position of leadership.[4]

A wise and crafty Macon politician, much later to be governor, acknowledged in 1888 that the struggle between some of the cities of Georgia had been monumental. Atlanta had fought Macon and Augusta for every foot of commercial ground in central Georgia, he said, and she had been a poor sister city. Atlanta would try anything, and the motto that suited her best was "Get There Somehow."[5]

The leadership of Atlanta was remarkable, and a part of what it did was civic prudence and not urban imperialism. Grady, the *Constitution*, and their allies suppressed local dissent and again and again fashioned "fusion tickets" of local political candidates dedicated to domestic harmony and to the advancement of the whole city. Atlanta stood ready to compete for almost any prize. The institution that today is the Georgia Institute of Technology was snatched from the hands of Macon, one of whose sons had been its principal sponsor.[6] The State Exchange of the Farmer's Alliance was taken away from several cities bidding for it when the *Constitution* suddenly offered it a free building. Atlanta even pursued prizes that had no intrinsic value. Its baseball team played with a terrible ferocity, often with Grady present in the stands dictating a running account of the game to his secretary, and the walking contests so popular during the decade were pursued with incredible intensity.

Local enterprises were promoted with fervor, usually under the leadership of Grady and the newspaper. The condition of the poor was relieved by charity drives; the Young Men's Christian Association was housed in a new building; the Young Men's Library Association was strengthened and made into an important concern; a comfortable home for Confederate veterans was built; an exemplary new Kimball House hotel was erected after the old one burned; chatauquas, lectures, and concerts were sponsored or encouraged; and three international fairs

[4]Atlanta *Constitution*, May 3, 6, 7, 1882. Atlanta based its claim largely upon small shops employing just a few people. Even by the end of the 1800s, it had only three cotton mills. The leaders of Atlanta professed to like the small shops best, for if one of them failed, it would not damage the economy of the city in a great way.

[5]*Ibid.*, Oct. 6, 1888.

[6]Robert C. McMath, Jr.; Ronald H. Bayor; James E. Brittain; Lawrence Foster; August W. Geibelhaus, and Germaine M. Reed, *Engineering the New South: Georgia Tech, 1885-1985* (Athens, Ga., 1985), 3-35. The section cited was written by Brittain.

were held in Atlanta during the 1880s, the first of them in 1881 when the city had a population of only about 34,000 people.

C. Vann Woodward says that the 1881 fair was the inaugural event of the New South Movement insofar as industrialization was concerned.[7] By the time the second fair came around in 1887, a glint of true imperialism was visible to those who helped to organize it. Grady, as the principal organizer, did not wish all the details to be known and asked that they be kept secret. For many years, they were. President Grover Cleveland was to be the main speaker at the fair, and Grady made the arrangements, working through Daniel S. Lamont, Cleveland's secretary. Grady wanted to make sure that the president came to Atlanta alone, for if he visited the Alabama State Fair or the Carolina State Fair coming and going, people would see him at home and would not come to Atlanta. Grady was arranging inexpensive rail transportation on all the lines into Atlanta to bring in multitudes of people.[8] He failed to have Cleveland visit Atlanta alone, but the attempt was typical.

Grady and the *Constitution* liked to bring throngs of money-spending visitors to the city to experience the energy and the vitality of the place, to see the gleaming new State Capitol building going up on the old city property, and later to depart with the conviction that Atlanta was a dynamo, destined for greatness. To that end, Grady and his newspaper arranged dramatic events in the city all during the decade.

A part of the problem that Atlanta had with its immediate neighbors was related to the State Capitol. Atlanta had it, acquired from Milledgeville in 1868 from the hands of a Reconstruction legislature. As long as the Capitol was in Milledgeville, the locus of political power had lain in central Georgia near Macon and Augusta, and both of those cities had enjoyed commercial advantages because of the location. The Capitol carried with it a substantial payroll as well as sums of credit-easing money deposited in local banks. There also were advantages in trade. Legislators arriving at the statehouse bought large amounts of goods for themselves and their neighbors, and Macon and Augusta had shared earlier in that commerce, being connected with Milledgeville by good rail transportation.[9] Moreover, the presence of the Capitol carried a special aura which stamped the city or section in which it was located as an important site.

Macon wanted the Capitol. It reserved four square blocks of its best property to receive it and the governor's mansion as soon as their transfer could be arranged. The reserved area was called Tattnall Square park, and Macon did not stop its efforts to convert it into the state government complex until 1925.

In the 1880s, however, Georgia had just adopted the new Constitution of 1877 which fixed the Capitol firmly in Atlanta at least for the life of that document. Macon knew that it could not get the Capitol at an early date. Despairing of that, it wanted one of its own sons to be governor, concluding reasonably

[7]C. Vann Woodward, "Bourbonism in Georgia," *North Carolina Historical Review*, XVI, No. 1 (January, 1939), 29.

[8]Henry W. Grady to Daniel S. Lamont, July 15, 1887. Grover Cleveland Papers, Library of Congress, Washington D. C. Copy in Box 1, Henry W. Grady Papers, Robert W. Woodruff Library, Emory University, Atlanta, Ga.

[9]Augusta *Chronicle and Constitutionalist*, Dec. 4, 1877.

that a Macon man could shift some of the power and benefits of government back to the central part of the state.

Augusta had been satisfied as long as the Capitol was in Milledgeville and it had no specific designs on it for itself, but it was tired of the fact, and especially of the perception, that great influence resided in Atlanta. It largely concurred in the hostile views held by leaders in Macon.

As for Grady and the *Constitution*, the Augusta *Chronicle* was sure that they wished Augusta no good despite occasional protestations which seemed to say the opposite. It was a tenet of faith among New South leaders that labor troubles discouraged industrialization. Everyone noticed that labor troubles in Augusta received intense coverage in the Atlanta newspaper, while labor problems in Atlanta were minimized or glossed over. Grady and his partners for three years suppressed public knowledge of a nasty labor situation in their own composing room while holding difficulties in Augusta up to public view.[10]

In 1885, the leaders of Augusta were convinced that Grady and the *Constitution* had found a way to damage the credit of their city. The *Constitution* reported a series of business failures in Augusta, all of which had truly occurred, and then announced that the buildings of that city were worm eaten, that its streets were unpaved, that its sidewalks were irregular, that its water was muddy, and that even its gas burned with a faint light. Knowing that the *Constitution* was one of only two Southern papers read in the money and commercial markets of the North, the Augusta *Chronicle* responded with fury and proclaimed that a parting of the ways with Atlanta had been reached. The *Constitution* responded rather lamely that it wished Augusta and every Southern city well, but it then broadened the insult by saying that Augusta, Savannah, and Charleston sat upon their river banks and watched the stream go by while Atlanta bustled and prospered.[11]

The struggle for industrial advantage was fought out on its own terms, but every other aspect of the New South Movement addressed the exercise of political power in Georgia. Grady and the *Constitution* carefully managed a sharing of power between Atlanta and the still-potent planter class. This sharing was no problem so long as the principal interests of the two groups did not collide directly, and Atlanta was able to get what it wanted without a notable clash.[12]

What Atlanta wanted seemed simple, once it was accomplished. The city wanted the principal officers of state government to be Atlantans so that their elections might attest quietly to the influence that the city exerted. Their elections would send a message to capitalists who had money to invest. During the 1880s, a political organization called the Atlanta Ring devoted itself to the election of Atlantans and to the extension of the political influence of the city. Grady was the essential member of the Ring, serving as campaign manager in sev-

[10]Eduard J. Cashin, *The Story of Augusta* (Augusta, Ga., 1980), 152-157; Atlanta *Constitution*, Dec. 8, 1885; March 12, Sept. 12, 1886; Augusta *Chronicle*, Sept. 15, 16, 17, 19, 22, 1886.

[11]Atlanta *Constitution*, Jan. 27, 29, 1885.

[12]For a study of the influence of the planters in Georgia, see Lewis Nicholas Wynne, "Planter Politics in Georgia: 1860-1890" (Ph.D. dissertation, University of Georgia, 1980).

en successful political campaigns between 1880 and 1886. He greatly influenced an eighth. He and his partners used the *Constitution* relentlessly as the voice of the Ring. By 1886, success was complete. A circumstance prevailed never seen in Georgia before or since. The governor was from Atlanta, as were both United States Senators. These facts sent an unspoken message about the power and influence of the city.[13] Grady considered the election of Atlantans all the more necessary because bitter a rival from Macon was a strong candidate for governor during this period.

The successes of Atlanta went down badly in the rest of the cities of Georgia. The Augusta *Chronicle* spoke for more than just itself when it said that people in Atlanta could work every day of the year except during two seasons: when a convention or meeting was in town whose members needed beguilement, or when the Legislature was in session. In the latter case, "all the population" would turn out to nominate or elect a governor or a United States Senator from Atlanta, or "go on to Washington to appoint an Atlanta man United States Marshal, United States District Attorney, or United States District Judge."[14]

Almost everything Grady and his partners did served a political end. One might assume that their agricultural policy was a genuine program to help the farmers, and it probably started out to be just that; but by mid-1887, even it had turned into a scheme to retain influence for Atlanta and the newspaper.[15] The advice that Grady and the *Constitution* gave to the farmers was not original. The same counsel was coming from other daily and weekly newspapers, from agricultural societies and journals, from some businessmen, and from officials of government. Gilbert Fite has concluded that if a farmer had not heard of the beneficial effects of this much-discussed program, he was dead, deaf, or illiterate.[16] On its face, the advice seemed to make sense. Farmers should plant cotton, for it could always be sold for cash, but they should not plant all cotton. Secondary cash crops should be cultivated wherever possible. Foodstuffs for farm families

[13]The story of these campaigns is told in Davis, "Henry W. Grady, Master of the Atlanta Ring." This study relies heavily upon documentary evidence as well as the printed record. The Joseph E. Brown Papers, University of Georgia Libraries, Athens, are especially useful concerning Grady's political activities, as are the Henry W. Grady Papers, Robert W. Woodruff Library, Emory University, Atlanta. The documents show Grady as a manipulator, whereas the accounts printed in the Atlanta *Constitution* show him winning political contests on their merits alone.

[14]Augusta *Chronicle*, Sept. 17, 1886.

[15]The mechanics and the meaning of the agricultural policy are examined in Harold E. Davis, "Henry Grady, the Atlanta *Constitution*, and the Politics of Farming in the 1880s," *Georgia Historical Quarterly*, LXXI, No. 4 (Winter, 1987), 571-600. The section which follows is based upon the research done for the article, and documentation both from printed accounts and documentary sources are provided in the article. The L. N. Trammell Papers, Robert W. Woodruff Library, Emory University, Atlanta, and the William J. Northen Papers, Georgia Department of Archives and History, Atlanta, contain essential documents.

[16]Gilbert C. Fite, *Cotton Fields No More, Southern Agriculture, 1865-1980* (Lexington, Ky., 1984), 68.

and their animals should be grown at home and not bought. Fertilizer should be made at home from a well-known formula using stable manure. Only modest amounts should be purchased. Such a program would slow the outflow of capital from the South, and would assure that money would be coming in. A full smokehouse and a bulging corn crib were as essential to prosperity as a good cotton crop.

The program did not work, although Grady and the *Constitution* insisted that it did and were quick to berate those who said otherwise. It was politically necessary to convince the farmers that they were happy. The *Constitution* knew full well that the farmers could take over the affairs of the state at any time they put their minds to it.

The system failed for several reasons. The method by which farmers were financed helped to wreck the program, for it forced them to plant more and more cotton. Cotton was the only crop upon which merchants would advance credit, for merchants thought secondary crops diverted effort and resources away from cotton. Farmers who tried to grow truck crops, as so often urged by Grady and the *Constitution*, found that the railroads charged exorbitant rates and were inefficient. Under state law, freight trains had to park all day Sunday; and produce spoiled in the cars. For a variety of reasons, the production of home-grown foodstuffs declined, and the use of commercial fertilizers went up.

Grady and his newspaper can scarcely be blamed for the failure of the program because farmers took little of their advice; but one can explain only in political terms why they continued to insist that the program was a success when it was not.

By 1887, it was clear that things were not well on the farm, and the *Constitution* helped in an effort to establish a benign agricultural organization to drain off some of the protest. On August 16, 1887, about four hundred delegates from ten Southern states met in DeGive's Opera House in Atlanta for an Intra-State Farm Convention.[17] The delegates had been named by the governors of the states and each man paid his own expenses, assuring that almost all were from the planter class which was conservative and safe. The Convention accomplished almost nothing, but gave Grady and the *Constitution* a look at one of the rare delegates who was not a planter. He was C. W. Macune, head of the Farmer's Alliance of Texas, an organization with a membership of 150,000 converts in Texas alone. These unhappy people were convinced that the system was doing them wrong. This was precisely the kind of organization that Grady and the *Constitution* could not abide. Should it enter Georgia, it could organize and dump tens of thousands of restless farmers into the political mix, dislocating the political system which Grady had nurtured.

Even as the Convention sat in Atlanta, Macune's organizers were in Georgia at work in Heard, Troup, and Carroll counties. The reaction of Grady and the *Constitution* was to give the Farmer's Alliance in Georgia almost no publicity. The Alliance's call for a statewide organizational meeting got 145 words in a letter to the editor. When that meeting drew delegates from only four counties,

[17]For full coverage of the Intra-State Farm Convention, see the Atlanta *Constitution*, Aug. 16-19, 1887.

the next call got a single paragraph.[18]

The near silence did not square with what was going on. Alliance organizers were working a medium-sized miracle on the back roads of Georgia. Seventeen counties were represented at the second meeting, and the Alliance men had signed up 10,000 Georgians, making sure that they were dissatisfied farmers or their allies, not representatives of the business class so dear to the hearts of New South leaders. The Alliance was proposing to set up its own stores and marketing cooperatives in competition with some of these commercial interests.

During the slow farm months of January and February, 1888, the appeal that the organization had for Georgia farmers was plain. By the end of February, it had 30,000 members. The editors of the *Constitution* were political realists, and even though they did not like what they saw, they decided that they must recognize it. On February 28, 1888, they made tentative deference, publishing an interview with the president of the Georgia Alliance, making it clear that they were only seeking a discussion of issues, something the farmers had said they wanted.

By June, the Alliance had 60,000 members. By then, the *Constitution* had opened its news columns somewhat, but its editorial page still withheld endorsement or favorable mention. When finally the endorsement came, its timing was a story in itself. After holding back for eleven months while the organization expanded to a frightening size, the *Constitution* saw merit in it on the day that it disclosed that its next meeting would be in the House of Representatives chamber in the State Capitol. The organization had not taken over the government, but it was about to borrow its quarters.

The *Constitution* thereafter seemed to become an extension of the Alliance, but the newspaper had come to that position slowly and with the utmost reluctance. In the February 28 interview, the president of the Georgia Alliance had said who the enemies of the farmer were. They included the commercial class, whose members constituted the most intrepid friends of Grady and the *Constitution*: the furnishing merchants, the banks, the oil mill trusts, the railroads, the manufacturing trusts, and the commercial syndicates. The newspaper could not now show solidarity with the farmer by attacking those entities which formerly it had encouraged.

The problem was complicated, but a way to solve one part of it appeared. Jute is a tough fabric from the East Indies which was made into bagging to protect the ginned cotton on its way to the factory. In the summer of 1888, the jute interests met in St. Louis and formed a combine which doubled the cost of the bagging. Those interests scarcely had a friend in Georgia. Even the merchants who sold it hated it after the price was raised, for it made their customers angry. The combine had been formed so late in the season that it was too late to find alternate bagging for a least a year.

For one year, the *Constitution* attacked the jute trust with a ferocity little short of felonious assault. The trust was vicious; its members were robbers; it was villainous, infamous, and a plunderer. Jute people were cormorants, a word which sent Georgians to their dictionaries to discover that a cormorant is a re-

[18]*Ibid.*, Nov. 2, 22, 1887.

pulsive sea bird with a voracious appetite and a horrid appearance.[19] A year later, the price of jute came down as alternative bagging was produced and as the trust lost its grip. Whether the campaign of the *Constitution* actually served the farmer except as an emotional outlet cannot be established, but it certainly served the *Constitution*. The newspaper had shown its solidarity by assailing an enemy with no local friends.

On December 2, 1888, the *Constitution* said that it was standing shoulder to shoulder with the farmer, and that it was starting a campaign to discover what was wrong with agriculture. "Wherever it is, the *Constitution* is going to find it if it can be found." Every Sunday for three months, the newspaper ran a full page, more or less, devoted to the problems of the farmer. Everything was considered and nothing was left out. The pages were presided over by Grady himself. After two months, the paper disclosed its preliminary conclusions. After all its work, it had changed its mind scarcely one whit about the path to success on a Georgia farm. All of the parts of the old program had been rediscovered and were publicized anew: diversification of crops, growth of foodstuffs for the farm and home, and curtailment of expenditures for fertilizer. The paper was once more urging a system that had failed. It was doing so, however, in a way that expressed great concern for the man behind the plow, and that was the idea.

To make sure that the point was not missed, Grady, by then a celebrated orator, let loose his considerable talent upon the Georgia farmers. Starting in a tent in Albany in the Southwest and moving to a vast outdoor gathering in Elberton in the Northeast, he drew such a picture of life on the farm that his audiences felt exalted, an uncommon experience for those who lived their lives between the furrows. The farmer was the knight of the field with no lien on his property; the son of a loving father; the husband of a devoted wife; the father of beautiful children; the master of an immaculate home; the son of a beaming mother; the contented beneficiary of the kind of life not to be found this side of the New Jerusalem.[20] The speech had nothing to do with the way that life really was; yet it was beautiful, it was well intentioned, it was lovingly delivered, and that was what counted. Thereafter, Grady repeated this central part of the speech in rural locations to throngs assembled by the Alliance.

With the election of 1890 approaching and with the farmer still in serious economic trouble, it was necessary to find a candidate for governor who could be elected and who would listen to the *Constitution*. He could not be an Atlantan this time; so Grady and the newspaper settled upon William J. Northen, a farmer from Hancock county in central Georgia, a member of the Alliance but the leader of one of the conservative farm organizations, the State Agricultural Society. Grady considered Northen to be under a mild obligation to him, although he never said what it was. Certainly Northen was friendly, and the newspaper made him more so by supporting him for governor.

When the votes were counted from the 1890 election, the wisdom of Grady and the newspaper was apparent. The Augusta *Chronicle* and the Macon *Tele-*

[19]*Ibid.*, Aug. 8, 17; Sept 9; Oct. 16, 26, 1888; April 4, June 9, 1889.

[20]Joel Chandler Harris, *Life of Henry W. Grady, Including His Writings and Speeches* (New York, 1890), 18-19, 175-177.

graph had not been so wise, for they had been reluctant to admit farmers with Alliance ideas to the banquet table of Democratic politics. The *Constitution* gave every outward sign of being delighted, and it was well that it did so. Northen was elected; supporters of the farmers captured all ten of the Congressional posts from Georgia; men friendly to the Alliance held thirty-two of forty-four seats in the State Senate and 160 of 174 in the Georgia House of Representatives.[21] These people would remember that the *Constitution* had spoken well of the farmer. Most surprising of all, the Speaker of the House of Representatives, Clark Howell, Jr., a protege of Grady's, was the new managing editor of the Atlanta *Constitution*. With Howell in the chair, nothing bad would happen to Atlanta, and nothing did. John B. Gordon, an Atlantan, who was retiring as governor, went to the United States Senate for a six-year term as Joseph E. Brown, another Atlantan, stepped aside. The *Constitution* was miffed with Gordon, but he could be relied upon to help the city.

Just as the farm policy finally was a political policy to keep the friends of Atlanta in power, the same must be said of the racial program of Grady and the *Constitution*. Joel Williamson has defined the mind-set of Southerners during this period, discovering three ways of looking at race. A small group of people could be called Liberals; and they were represented in Georgia most aptly by Atticus G. Haygood, president of Emory College and later a great bishop of the Methodist Episcopal Church, South. Persons of this kind thought that the Negro had potential,but they did not know what it was. Liberals wished to give black Americans a chance to grow to the limit of their abilities. In no way did Grady and the *Constitution* belong in that group. They were Conservatives, starting with the premise that Negroes were inferior and would remain that way; but because Negroes were present in Southern society and were not going away, a place had to be found for them. Conservatives saw themselves as saving, or "conserving," American blacks by finding that place. Grady and the *Constitution* had no official truck with a third category of Southern mind-set, the Radical. Radicals believed that Negroes, freed from slavery, were sinking rapidly into barbarism and that there was no natural place for them in America. The *Constitution* was sometimes closer to the Radicals in practice than in theory, especially as regarded lynchings, but it was aligned with the Conservatives. To the Radicals, control over the Negroes had to be maintained, and lynchings and beatings were permissible from time to time.[22]

Because an indeterminate number of Georgians held Radical views and because these people were voters, Grady and the *Constitution* knew that if they diverged too far from local opinion, they could lose their political influence. Their position was a difficult one. They must assure their Radical constituents that their

[21]The legislative figures are from Lewis Nicholas Wynne, "The Alliance Legislature of 1890" (M.A. Thesis, University of Georgia, 1970), 82. Wynne counted every legislator who expressed pro-Alliance views. Other scholars have applied more conservative criteria and have other figures, but the Alliance strength is impressive no matter how calculated.

[22]Joel Williamson, *The Crucible of Race: Black-White Relations in the American South Since Emancipation* (New York, 1984), 5-7.

views were unexceptional on matters of race, while convincing the North that the Negro was receiving justice. Northerners otherwise might interfere in Southern racial affairs. Well into the 1890s, the leadership of the Republican party was committed to what it said was fair treatment for the Negro in the South, which included the right to vote. After the election of President Harrison in 1888, Republicans controlled the White House and both Houses of Congress and appeared to have the power to pass civil rights legislation. Indeed, Congressman Henry Cabot Lodge of Massachusetts introduced a voting rights measure affecting the South, and it had the backing of President Harrison.

The situation was a tense one. Great care must be taken to make sure that Georgians did not get the idea that the *Constitution* was pro-Negro, a circumstance that could occur if the slightest softness were shown; yet if firmness on the issue were interpreted in the North as unfairness, the result could be a civil rights bill thrusting hordes of black people squarely into the voting process. Grady was on record about that possibility. To him, black voters were ignorant, impulsive, and purchasable. If they voted in numbers, and if the white vote split on issues or personalities, money or beguilement would throw them from one political faction to another. They would become a loose cannon on the deck of a storm-tossed ship.[23]

The need to appease local opinion while satisfying Northern concerns caused anxiety all during the 1880s. Grady and the *Constitution* were almost as hungry for Northern approval as they were for Northern investments; yet they were determined that there would be no outside interference in the management of racial affairs, and indeed, the stability of their system mandated that there should be none. They sought to reconcile the difficulties by taking a semantic way out. They said repeatedly that the black man was happy, content, and was doing as well as could be expected. Almost every white Southerner wanted to hear that said, and many white Northerners wanted to believe it.

Black Georgians deeply disagreed. They met in convention three times in six years to proclaim their dissatisfaction in escalating terms.[24] In 1888, they drew up a resounding catalogue of grievances: poor or non-existent schooling for their children; mistreatment of Atlanta University, a black institution; poor accommodations on trains even after they bought first-class tickets; widespread barring of Negroes from jury service in 130 of 137 Georgia counties; the convict lease system, under which state prisoners, mostly black, were hired out for profit, often under brutal conditions; barring or discouraging of Negroes from voting. Perhaps foremost were law enforcement and lynching. One delegate to the 1888 black convention, held in Macon, said white men had the judge, the jury, and the rope and could hang Negroes legally. Instead, they lynched. Grady's reporters covered lynchings regularly and approved of them, judging from their news accounts. Occasionally, a news story would identify a Negro to be lynched, and the following day the newspaper would print an account of how the

[23]Harris, *Life of Henry W. Grady*, 126.

[24]For accounts of these remarkable conventions, held in 1883, 1888, and 1889, see the Atlanta *Constitution*, Dec. 13, 1883; April 1, 1888; Sept. 14, 15, Nov. 13, 1889; Macon *Telegraph*, Jan. 26-28, 1888; Savannah (Ga.) *Tribune*, Feb. 11, 1888.

deed was done, accompanied by a woodcut showing a black man hanging from a tree.[25]

A black newspaper in Savannah said the whole system of law enforcement was cruelly uneven. A hungry Negro who stole a piece of bread to feed his hunger went to the coal mines. A greedy white man who stole a thousand dollars from widows and orphans went to the Legislature.[26] Despite vast evidence to the contrary, much of it printed in its own columns, the *Constitution* made the astounding declaration early in 1889 that there were no "race troubles or agitations in Georgia, nor anything even bordering on them."[27]

Events occurring a few months afterward raised to a barely manageable level the tension of trying to satisfy two differing constituencies. On June 28, 1889, President Harrison appointed John R. Lewis as postmaster of Atlanta. Lewis, a white man, was a former officer in the Union army who for many years had been a valued citizen of Atlanta. Exactly one week after Lewis's appointment, a black man, C. C. Penny, applied for one of two jobs open in the post office. Penny, a graduate of Atlanta University, had qualified by examination, as had a young white man. As there were two qualified applicants for two positions, Lewis employed them both, putting Penny to work in the registered mail department where he would have relatively little association with white customers. In the department, however, was a young white woman named Miss A. V. Lyons, and reports swept through Atlanta that Lewis had thrown a black man into close company with a white woman. Miss Lyons resigned as tensions built in the city. A few nights later, citizens demonstrated near the post office. The demonstration was remarkable not only for its passion but for its size. Between eight and ten thousand persons were there out of an Atlanta population of 65,000. A move began to expel Lewis from the Capital City Club, an organization of the principal businessmen of the city. The move failed, but not before Lewis abased himself before the committee named to investigate the incident.[28]

Had news of these occurrences been confined to Atlanta, there would have been no problem. It was certain, however, that Lewis, a Republican, would pass along a report to Washington where word would spread through the network of Republican officeholders. The incident would be seen as proof that the black man did not have justice in Georgia, and it would certainly encourage Congressman Lodge.

Events would not stand still, and another embarrassing incident occurred almost simultaneously. A black man named Warren Powell, suspected of rape, was lynched in East Point, a suburb of Atlanta. Some blacks in East Point gathered on the streets to protest but dispersed after the white mayor ordered a stand of Winchester rifles set up in the railroad station. That evening, a group of white men rampaged through a black section of town, forcing their way into the homes of Negroes, dragging men into the yards and beating them, and indis-

[25]For example, see Atlanta *Constitution*, July 10, 11, 27, 28, 31, 1887.

[26]Savannah (Ga.) *Tribune*, April 30, 1887.

[27]Atlanta *Constitution*, Jan. 2, 1889.

[28]*Ibid.*, Aug. 6-11; Sept. 3, 4, 15, 25, 1889. Miss Lyons's name was sometimes spelled Lyon.

criminately whipping blacks met in the road. Two buggy whips were entirely worn out, and at least fourteen people were beaten.

The *Constitution* printed accounts of these events and said editorially that they were unacceptable. At the newspaper offices, Grady became convinced that one of his employees had taken part and discharged him. A group of angry Negroes converged upon the office of Governor Gordon in Atlanta; and the governor received them sympathetically, even though prostrated by a toothache. The Legislature, then in session, took up the incident and made it clear that the victims would get no official sympathy from that source.

Grady was embarrassed that these incidents had occurred within a seven and a half minute train ride from his office, and he knew that reports of them would play badly in the North. To soften the impact, he called upon one of his friends, W. P. Hill, a leader of the local Young Men's Democratic League, to assemble the League to denounce what had happened. Hill did so and to his surprise discovered that those present supported the whippings. They denounced Grady for having publicized them. For the first time in his life, Grady was scolded by a group that earlier he had considered as almost his own.[29] It was clear that Radical opinion was on the upswing and that the task of mollifying Northern opinion would become more difficult.

In the North, the Lodge bill, which its opponents called the Force Bill, was gathering strength, and it is not surprising that Grady, as the preeminent spokesman for the New South, was invited to Boston to speak. A talk before the Boston Merchant's Association would give Grady a chance to say in Lodge's own back yard that the Force Bill was not needed and that the Southern Negro was satisfied. The Boston speech is regarded to the present day as one of the masterpieces of American public address. Although it was not so fine as either the New South address that Grady gave in New York in 1886, or the Elberton farm speech, it was a masterpiece of construction and delivery. Its major point, however, was false.

Grady did that thing so common among leaders of the New South Movement, a thing aptly defined by Paul Gaston. He falsely claimed that an objective which was merely desired had already been accomplished. He simply announced that justice was at hand for black people in the South.[30] That allegation would please almost all white Southerners; and if it convinced enough Northerners, then the purpose would have been accomplished. The South would be left alone to deal with race in its own way, and Northerners who wished to invest money would feel that it was going into a stable region.

The magnificence of Grady's oratory guaranteed that the speech would get some favorable response; but finally, judgment of it was influenced by an unexpected circumstance. Grady died less than two weeks after it was given, the victim of exhaustion and pneumonia. He had returned to Atlanta alive, but he was so sick that he could not walk from the train unassisted. Death came softly, and he was buried on Christmas day, 1889.

[29]*Ibid.*, Sept. 6-8, 18-20, 1889; Raymond B. Nixon, *Henry W. Grady, Spokesman of the New South* (New York, 1943), 315.

[30]Harris, *Life of Henry W. Grady*, 180-207; Paul M. Gaston, *The New South Creed: A Study in Southern Mythmaking* (New York, 1970), *passim.*

The circumstances of his death assured that his central point went unexamined by many of those who heard or read the address. Most white Southerners and many Northerners thought that, in general, the speech was splendid. Some Northern newspapers had reservations. For the most part, the black press of America heaped contempt upon it and the orator. One editor suggested that Divine Providence had killed Grady for tightening the cords of caste around black Americans. Another thought that Grady should have taken a little light from the Bible. Yet another said that Grady's sole ambition had been to degrade Americans of color.[31]

The latter commentator, in the heat of the times, missed the point. Grady had not wished to degrade Negroes. He just wanted to keep them where they were and away from the voting box. In a sense, he got his wish. The Lodge Bill failed to pass Congress, derailed on a technicality. Slowly over the next decade, the Republican party lost its enthusiasm for Negro rights. Black votes did not seriously disturb the political structures erected by Southern white men until well into the following century.

What Grady said about the New South Movement conformed only accidentally to what he did. When one strips away the language, one discovers that he was a man intent upon getting and keeping power, especially in his own state. He used this power, and even more, the perception of this power, to advance a city that he ranked above all others, in which his own fortunes had their strongest base, and for which he was an effective if self-appointed champion.

His version of urban imperialism, as Richard Wade suggested, left a record of damage and achievement. The damage was to rival cities which found their own ambitions frustrated or thwarted. The damage also was to black citizens and to farmers who found themselves misrepresented and used for the political ends of others. The achievement was for Atlanta, which for a critical decade between 1880 and 1890 moved its own development forward. In the decade which followed Grady's death, white men kept Negroes mostly out of the political process, unhappy farmers failed to establish themselves as the political force they had hoped to be, and Atlanta burgeoned. *The Twelfth Census* of the United States said without qualification in 1900 that although other Georgia cities had advanced as manufacturing centers, Atlanta had shown the more rapid growth. Atlanta was the "leading manufacturing city of the state."[32]

At the height of his powers in 1886, Grady told a national audience that from the ashes left by Sherman in 1864, Atlantans had "raised a brave and beautiful city." Somehow or another, he said, they had "caught the sunshine in the bricks and mortar" of their homes.[33] Sunshine was what Grady indicated that the New South Movement was about in its public aspects. In its darker and more secret manifestations, it was about power and influence.

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[31]Cleveland (O.) *Gazette*, Jan. 4, 1890; Huntsville (Ala.) *Gazette*, Dec. 14, 1889; *The Bee* (Washington, D. C.), Dec. 28, 1889.

[32]*Twelfth Census of the United States, Taken in the Year 1900, Manufactures*, Vol. VIII, Part II, 131-135, 142-143.

[33]Harris, *Life of Henry W. Grady*, 87.

Benjamin Franklin's Printing Network

by Ralph Frasca

Through the years it has been a popular misconception that the American press was less subject to economic factors in the eighteenth century than it is in modern society. Such a misconception has been propagated by the numerous books and articles on American and journalism history which sought more to glorify the press as a "heroic" institution than to study its realities in the late eighteenth century.[1] For example, Charles and Mary Beard's two-volume work on American history, *The Rise of American Civilization*, contains an example of this romanticized version of the press, portraying it as gloriously unfettered:

> The political and cultural significance of this early American journalism, crude as it appears to the sophisticated of modern times, can hardly be overestimated. If narrow in range, it was wider and freer than the pulpit and the classroom and it was an art open to any person, group, faction, or party that could buy a press and exercise enough literary skill to evade the heavy hand of colonial authorities....Clearly the institution of the press, operating, at least in a measure, on a national scale, was prepared to serve the lawyers and politicians who were to kindle the flames of revolution.[2]

Such sources hearken to the imagined halcyon days of the eighteenth century, when all that was needed was a case of type, a press, and a community in which to print. This interpretation is naive, as it does not take into account prudential (the wise and judicious management of affairs) and economic (the financial ability to set up and maintain shop) factors affecting the press.

Forces that regulated the freedom of newspaper operators, involving both their ease of establishing and practicing their business, as well as their liberty, were just as stringent in the eighteenth century as now, only for different reasons.

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[1]Such sources include Silas Bent, *Newspaper Crusaders* (New York, 1939); Willard G. Bleyer, *Main Currents in the History of American Journalism* (Boston, 1927); Edwin Emery and Michael Emery, *The Press and America: An Interpretative History of the Mass Media*, 5th ed. (Englewood Cliffs, N.J., 1984); Frederic Hudson, *Journalism in the United States 1690-1872* (New York, 1873); John W. Moore, *Historical Notes on Printers and Printing 1420 to 1886* (Concord, N.H., 1886); Frank L. Mott, *American Journalism* (New York, 1950); George Payne, *History of Journalism in the United States* (New York, 1920).

[2]Charles A. Beard and Mary R. Beard, *The Rise of American Civilization*, 2 vols. (New York, 1931), 1: 185, 187.

Among the most influential forces were trade affiliations, which were the building blocks of loosely-structured yet powerful printing networks. These networks were instrumental to the success of many early-American printers. This article examines the most prominent of the eighteenth-century printing networks, the one formed by Benjamin Franklin.

Many historians agree that eighteenth-century printers suffered from a lack of freedom, but they differ as to the causes. Stephen Botein contended that such printers had to be impartial for business reasons, so as not to offend their customers, upon whom the printers depended for economic survival. He wrote:

> ...most colonial printers had an economic stake in maintaining the liberty of their presses. Although "liberty of the press" was a noble concept, even when it just meant access to a particular press, colonial printers were not inclined to dwell on such elevated matters. More commonly, like their brethren in the English provinces, they would disclaim all interest whatsoever in the political or intellectual functions of their craft, and explain their preference for impartiality merely as a business instinct to serve all customers....What is apparent, however, is that their ideal of a "free press" conducted by a politically indifferent craftsman made good sense to them as a business strategy.[3]

Five years later, Botein took the argument a step farther. He asserted that colonial printers were not expected to have minds of their own, free to address the political, social, and economic issues of the day, because of the social perception that printers were nothing more than manual laborers. He wrote:

> In the colonies, as in both London and the provinces, printers had to face the hard, discouraging fact that in the eyes of many neighbors, especially those who claimed to be "gentlemen," they were by training mechanics, without full legitimacy as men of independent intellect and creed....A colonial printer was not commonly expected to possess a mind of his own, and this expectation was likely to undercut whatever efforts he made to influence his neighbors.[4]

This passage suggests the existence of a colonial class system, with printers relegated to one of the lower echelons. Apparently conscious of his station in life, printer Hugh Gaine used his *New-York Mercury* newspaper to defend himself against critics. Gaine sought to excuse his perceived boldness by noting it

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[3]Stephen Botein, "'Meer Mechanics' and an Open Press: The Business and Political Strategies of American Colonial Printers," in Donald Fleming and Bernard Bailyn, eds., *Perspectives in American History* 9 (1975): 179-80, 183. See also Geoffrey A. Cranfield, *The Development of the Provincial Newspaper 1700-1760* (London, 1962), pp. 116, 118; Roy M. Wiles, *Freshest Advices: Early Provincial Newspapers in England* (Columbus, Ohio, 1965), pp. 33-34, 292.

[4]Stephen Botein, "Printers and the American Revolution," in Bernard Bailyn and John B. Hench, eds., *The Press and the American Revolution* (Worcester, Mass., 1980), pp. 117-18.

was uncommon "to appear in print in any other Manner, than what merely pertains to the Station of Life in which I am placed."[5] Franklin advocated this placid neutrality for printers. Annoyed by periodic criticism of various items he printed, Franklin wrote:

> Printers are educated in the Belief that, when Men differ in Opinion both, Sides ought equally to have the Advantage of being heard by the Publick; and that when Truth and Error have fair Play, the former is always an overmatch for the latter....Being thus continually employ'd in serving all Parties, Printers naturally acquire a vast Unconcernedness as to the right or wrong Opinions contain'd in what they print; regarding it only as a Matter of their daily labour...[6]

Other historians have eschewed the "neutrality and appeasement" argument in favor of a different perspective. This group has asserted that the freedom and economic standing of printers depended on staying in the good graces of the colonial governments, so as to secure government printing contracts. These printing contracts provided a vital source of income for printers, according to Lawrence Wroth, who noted that many printing houses in the thirteen original colonies were established with the encouragement and support of various governmental bodies that sought a means to disseminate their laws and proclamations in print. Wroth wrote, "It was this government work that gave the earliest printers means to defray their overhead while they sought additional outside work to provide their profit."[7]

Other adherents to the "dependence on government" argument have included Arthur Schlesinger and Daniel Boorstin. Schlesinger grouped political patronage with libel and suppression as official constraints on printers. He wrote, "[T]he ruling group possessed an effective financial leash on newspaper proprietors insofar as they executed or desired to execute government printing."[8] Noting the success of the presses by the mid-eighteenth century, Boorstin maintained that all colonies owed the establishment of their earliest presses to government subsidy.[9] According to Boorstin:

> ...it was the needs of the colonial governments that supported printers in the beginning....In the earliest years the bulk of what issued from the presses was government work: statutes and the votes and proceedings of colonial assemblies....Printing began under government sponsorship in all

[5] *New-York Mercury*, 3 September 1753.

[6] Benjamin Franklin, "Apology for Printers," in Leonard W. Labaree, ed., *The Papers of Benjamin Franklin* 26 volumes to date (New Haven, Conn., 1959 --), 1: 195. Franklin's "Apology" first appeared in the *Pennsylvania Gazette* 10 June 1731.

[7] Lawrence C. Wroth, *The Colonial Printer* (New York, 1931), pp. 226-27.

[8] Arthur M. Schlesinger, *Prelude to Independence* (New York, 1971), pp. 61-62.

[9] Daniel Boorstin, The Americans: The Colonial Experience (New York, 1958), pp. 324-40.

> the colonies....[T]he colonial press could hardly be a nursery of novel, startling, or radical ideas. The printer had to be a "government man," acceptable to the ruling group in his colony.[10]

Mary Ann Yodelis posed an alternative theory, writing that government subsidy was not a vital revenue source. She contended that issuing publications sponsored by religious groups provided a more substantial income for colonial printers.[11]

In sum, two of the restrictions on eighteenth-century press freedom were prompted by printers' desire to remain impartial and the concomitant hesitation to offend readers, and also the reliance on subsidy in the form of printing contracts.

However, a third constraint on these freedoms was the existence of informal yet powerful trade affiliations. For many printers, their economic survival depended on their associations and networks.

The largest, most prominent and most geographically extensive of the eighteenth-century groups was Franklin's network, which was composed of Franklin's business partners, trade associates, and family members. It lasted from the 1730s to the 1780s, stretched from New England to Antigua, and comprised more than a dozen printers. Franklin's network was integral to the success of many eighteenth-century printers and thus had important implications for the growth and workings of the early-American press. These in turn are important because the First Amendment framers' understanding and original intent of the press clause was based on press practices of the time.[12]

Studying the Franklin network presents an immediate conceptual problem--did it actually exist? No sources have thus far discussed the network as a factual, provable entity, and few have even acknowledged its existence, save for some oblique references in Franklin's papers. The best example is found in a 1785 letter to printer Henry Childs, to whom Franklin wrote from Passy, France:

> I had some discourse with Mr. Jay respecting you, and I expressed a willingness to assist you in setting up your business, on the same terms as I had formerly done with other young printers of good character, viz., Whitemarsh and Timothy in Carolina, Smith and afterwards Mecon in Antigua, Parker at New York, Franklin at Rhode Island, Holland Miller at Lancaster, and afterwards Dunlap, and Hall at Philadelphia, but nothing was concluded between us, and I expected to have been in America before this time, with a very large quantity of types which I have packed up. I still hope to be there in the ensuing summer, when we may carry this proposal into exe-

[10]*Ibid.*, pp. 324-25, 332, 335.

[11]Mary Ann Yodelis, "Who Paid the Piper? Publishing Economics in Boston, 1763-1775," *Journalism Monographs*, 38 (1975), pp. 1-2.

[12]Gaillard Hunt, ed., *The Writings of James Madison* (New York, 1900-1910), 6: 387.

cution, if it shall suit you.[13]

Because their existence must be constructed from inference, printing networks are a relatively unmined vein of press history. Their effect on eighteenth-century press freedom has been largely overlooked. There has been some evidence suggesting the relationship of one network printer to another, but no source links any substantial number of them.

Networks in general, Franklin's in particular, are important to study on three fronts -- economic, prudential, and legal. It stands to reason that if a printer lacks financial backing and perhaps a degree of support from a few brethren printers, that printer may fail economically. Eighteenth-century printers such as those who comprised the Franklin network required the necessary capital to purchase printing materials, to rent a shop, and to hire employees. This financial backing sometimes came from an established printer who used his influence and capital in exchange for a percentage of the profits. Franklin was a master at orchestrating these relationships so that all involved benefited.

Affiliation with other printers was also important for those who sought to market certain materials. For instance, Franklin used his network to distribute his "Poor Richard's Almanack" through many colonial printers who were either part of his network or were colleagues of Franklin.[14]

Franklin was instrumental in the growth of the eighteenth-century press through his financial investments, which he used to set up some of the key early-American printers. Once they were in business, he aided their operations by serving as a reliable supplier of printing materials who had an economic interest in the printers' success.

The prudential elements of the network were also beneficial to all parties. Franklin occasionally provided instructions to network printers which shaped their editorial content and helped them cope with particular problems. For instance, in 1765 he counseled his Philadelphia partner, David Hall, on the appropriate stance to take in the face of growing revolutionary sentiment in the colonies attending the passage of the Stamp Act.[15] That same year, he intervened in a financial dispute between network printers James Parker and John Holt by using his capacity as Royal deputy postmaster general to relocate Parker, his postal comptroller. Franklin ordered Parker to move his office from Burlington, N.J., to New York.[16]

[13]Benjamin Franklin to Francis Childs, 8 February 1785, in John Bigelow, ed., *The Works of Benjamin Franklin* (New York, 1904), 11: 8-9. "Mr. Jay" was John Jay, who was in Paris at the time and told Franklin about Childs. See Jay to Childs, 11 May 1783, in Henry P. Johnston, ed., *The Correspondence and Public Papers of John Jay*, 3: 45-46 (New York, 1970).

[14]There are various references to "Poor Richard's Almanack" and its distribution in Franklin's papers. For example, see "Ledger D, 1739-47" in Labaree, 2: 233-34; "Poor Richard Improved, 1748," ibid., 3: 262n.

[15]Benjamin Franklin to David Hall, 14 September 1765, in Labaree, 12: 268.

[16]Beverly McAnear, "James Parker versus John Holt," *Proceedings of the New Jersey Historical Society* 59 (April, 1941): 87. This piece of correspondence has not been found in collections of his letters and papers, nor was any reference to it found in his autobiographical writings.

Franklin also reaped the prudential benefits of the network. His fame increased due to the publication of essays and reports in network newspapers which were authored by his associates, by unnamed correspondents, or by Franklin himself. Whether the outcome was intentional or not, these articles rehabilitated Franklin's reputation in the wake of what many colonists perceived as his suspiciously docile posture regarding the Stamp Act and lionized him as a cornerstone of American political leadership.[17]

It seems that Franklin and most of his network members espoused libertarian views, the sort of which were central to the development of press freedom. This raises an interesting question -- did Franklin choose printers for his network who adhered to his beliefs of their own accord or did he inculcate these views into the printers, covertly or overtly? This merits further study.

The third consideration meriting study pertains to law or, more specifically, matters of press freedom. Press freedom can mean more than simply the workings of courts or government. In fact, how closely one examines these "official" sources as opposed to other sources will play a role in how much freedom one believes existed in the eighteenth century. Those who place greater emphasis on government and court activities may be more inclined to contend that little press freedom existed, as Leonard Levy did in *Legacy of Suppression* and, to an extent, *Emergence of a Free Press*.[18] His critics have claimed that while press freedom may not have been evident in official records, it was a national reality.[19]

In fact, it has been argued that laws are not as powerful and influential as has been commonly thought. One who makes this argument is Stewart Macaulay. He has contended that "alternative institutions" are more influential in shaping behavior than civil laws and that "the law" is not always central to have society operates. Indeed, such non-legal institutions sometimes subvert the law. Macaulay identified these as "private governments," such as trade associations and networks. "Much of what we could call governing is done by groups that are not part of the institutions established by federal and state constitutions," he wrote. "We live in a world of legal pluralism. Private governments, social fields, and

[17]There are many instances of reports by Franklin associates which enhanced his fame and rebuilt his reputation. For example, see the *South Carolina Gazette* 16 June 1766; the *Pennsylvania Chronicle*, 9 February 1767; 16 February 1767; 23 February 1767; 9 March 1767; 23 March 1767. For the Franklin essays, see for example "'F.B.': First Reply to 'Tom Hint,'" 19 December 1765 in Labaree, 12: 406; "'F.B.': Second Reply to 'Tom Hint,'" 23 December 1765 in *ibid.*, 12: 410; "'N.N.': First Reply to Vindex Patriae," 28 December 1765 in *ibid.*, 12: 413; "'Pacificus Secundus': Reply to 'Pacificus'" in *ibid.*, 13: 4 "'Homespun': Second Reply to 'Vindex Patriae'" in *ibid.*, 13:7; "N.N.': On the Tenure of the Manor of East Greenwich" in *ibid.*, 13: 18; "'F.B.': Third Reply to Tom Hint: Two Taylors" in *ibid.*, 13:38.

[18]Leonard Levy, *Freedom of Speech and Press in Early American History: A Legacy of Suppression* (New York, 1963); and *Emergence of a Free Press* (New York, 1985).

[19]Jeffery A. Smith, *Printers and Press Freedom: The Ideology of Early American Journalism* (New York, 1988); David A. Anderson, "The Origins of the Press Clause," *UCLA Law Review* 30 February 1983): 455-541; Merrill Jensen, review of *Legacy of Suppression*, *Harvard Law Review* 75 (1963): 456-58.

networks administer their own rules and apply their own sanctions to those who come under their jurisdiction."[20]

An example of the Franklin network acting as a private government was evident in 1752 when Parker, a lay reader in an Episcopal church, printed in his *New-York Gazette, or Weekly Post-Boy* a deistical essay attacking Christian beliefs on damnation, revelation, and salvation. The essay, probably authored by apothecary Patrick Carryl, was written as an Indian chief's response to a Swedish missionary's sermon. It offended some readers, who objected to the printing of anti-Christian material. In answering one such reader, Parker wrote Christianity was too stable a force to be injured by criticism and that its opponents should have the same access to the press as its proponents.

As a result of printing the essay, Parker was indicted for blasphemous libel. Franklin quickly interceded by writing to his friend Cadwallader Colden, an influential council member who would later become acting governor of the colony. Calling Parker "a thorough Believer...now much in his Penitentials" who will "be very circumspect and careful for the future, not to give Offence either in Religion or Politicks," Franklin persuaded Colden to obtain a "nolle prosequi" for Parker, effectively ending the libel case.[21]

Printing grew along with the populace it served. In the mid-eighteenth century the colonies grew rapidly because of immigration and purchases of interior lands by many colonists, particularly lawyers and merchants in the southern colonies. As colonial population grew and towns sprang up where woods or plains had prevailed, printers found themselves in greater demand. As a result, printers grew in number and developed competitive situations.[22] These changes in the popularity and the role of colonial printers prompted them to seek allies and cultivate personal associations.

Formation of associations was first accomplished through familial relationships which, coupled with the apprenticeship system, formed the foundation of the printing trade. The most prominent of the "family dynasties" was the Green family, which stemmed from Samuel Green, who operated a printing press in Cambridge, Mass., as early as 1649. His descendants who carried on the trade were both numerous and prominent in the eighteenth century. Other prestigious printing families in eighteenth-century America included the Drapers, the Hunters, the Sowers, and the Fowles.[23]

[20]Stewart Macaulay, "Private Government" in Leon Lipson and Stanton Wheeler, eds., *Law and the Social Sciences* (New York, 1986) pp. 445, 502. See also Macaulay, "Law and the Behavioral Sciences: Is There any 'There' There?" *Law and Policy* 6, no. 2 (April, 1984): 149-87.

[21]Benjamin Franklin to Cadwallader Colden, 14 May 1752, in Labaree, 4: 310-12; lNew-York Gazette, or Weekly Post-Boy 27 April 1752; 4 May 1752; 11 May 1752; Beverly McAnear, "James Parker versus William Weyman," *Proceedings of the New Jersey Historical Society*, 59 (1941): 9-10n.

[22]Stephen Botein, *Early American Law and Society* (New York, 1983), p. 61.

[23]For information on the Green clan, see Schlesinger, *Prelude to Independence*, p. 57; W. C. Kiessel, "The Green Family, a Dynasty of Printers," *New England Historical and Genealogical Register*, 54 (1950), pp. 81-93; and Douglas C. McMurtrie, "The Green Family of Printers," in *Americana*, 26 (1932): 1364-75.

Franklin's network, in contrast, was the first to consist chiefly of non-family members. Instead of relying on family ties, Franklin set up printers with contracts which bound them to him and prevented their own expansion. The standard partnership with Franklin began with him identifying a large community which either had no printer or offered room for competition with existing printing houses. Franklin then turned to a printer, often one who had worked for Franklin as an apprentice, and supplied him with press and types. In the partnership contract, which usually lasted six years, Franklin shared the cost of materials and received one-third of the profits. However, he stipulated that the printer must use *only* the types and press he provided, effectively prohibiting expansion. After the contract expired, the printer had the option of continuing the arrangement or buying Franklin's press and types.

Franklin's preparation of worthy apprentices for their own printing houses after their apprenticeship expired represented a substantial departure from the European apprenticeship system. Master craftsmen had traditionally designed apprenticeships to *limit* the growth of their trades. By substituting apprentices for journeymen, craftsmen spared themselves journeymen's wages and prevented journeymen from raising enough capital to open their own shops.[24]

However, Franklin used apprentices and journeymen alike to *expand* the printing trade through his peculiar practice of franchising. He benefited financially from this expansion of the trade in many ways, as it afforded him more markets for which he could act as a distributor of printing supplies and made him a prominent entrepreneur. Of course, part of his success in establishing this web of printers was his knack of working with and setting up printers he could trust, most notably David Hall in Philadelphia, the Timothys in Charleston, and James Parker in New York, New Haven, Conn., and Woodbridge, N.J.

No other figure in eighteenth-century printing was more renowned or successful than Franklin. When he was born in Boston January 17, 1706, there was only one newspaper in the American colonies, the two-year-old Boston *News-Letter*. Franklin got his start in the trade in 1718, when at age 12 he was apprenticed to his older brother James, who had just set up shop in Boston. The following year, James and partner William Brooker established the Boston *Gazette*, the second newspaper in the colonies. In his autobiography, Franklin wrote, "I remember his being dissuaded by some of his Friends from the Undertaking, as not likely to succeed, one Newspaper being in their Judgment enough for America."[25]

After repeated quarrels with James, Ben Franklin left his brother's tutelage in

For other prominent printing families in eighteenth-century America, see Charles W. Wetherell, "Brokers of the Word: An Essay in the Social History of the Early American Press 1639-1783" (Ph.D. dissertation, University of New Hampshire, 1980), pp. 86-87, 100-01, 110-13; Stephen L. Longenecker, *The History of Printing in America* (Worcester, Mass., 1810; reprint ed. New York, 1972).

[24]For a discussion of the relationships between masters, journeymen and apprentices, see W. J. Rorabaugh, *The Craft Apprentice* (New York, 1986), especially pp. 8-9.

[25]"The Autobiography" in J. A. Leo Lemay, ed., *Benjamin Franklin* (New York, 1987), p. 1323.

1723 and set out for Pennsylvania, finding employment with Philadelphia printer Samuel Keimer. He also worked occasionally for Keimer's sole competitor, Andrew Bradford, with whom Franklin also lived.[26]

While Franklin was working for Keimer in 1726, Keimer's pressman, Hugh Meredith, proposed a partnership to Franklin, which Meredith's father had agreed to finance. The plans took two years to reach fruition, but Franklin and Meredith opened their own printing shop, the third in Philadelphia, in 1728.[27] They dissolved their partnership in 1730, with Franklin buying out Meredith's share (and consequently plunging into debt),[28] leaving Franklin in need of printing help. Accordingly, he hired Thomas Whitmarsh as a journeyman printer and Joseph Rose as an apprentice.[29]

In response to appeals by the Assembly of South Carolina for a printer to open shop in that colony, Franklin and Whitmarsh formed a partnership September 13, 1731, whereby Whitmarsh was to set up in Charleston, use equipment provided by Franklin, share the cost of materials with Franklin, and give him one-third of the profit. The arrangement was to last for six years.[30]

The fact that Whitmarsh was contractually bound to print only with Franklin's equipment effectively prevented his own expansion. Thus, Franklin had not only extended his influence to the South but also controlled Whitmarsh. He had created the first strand in what was to become the web of his printing network.

Whitmarsh was unable to fulfill the contract, though. He printed the *South Carolina Gazette* from January 8, 1732, to September 8, 1733, and died soon afterward. The subsequent vacancy in Charleston was filled by Holland native Louis Timothee, who had immigrated with his family to Philadelphia. Franklin had hired and trained Timothee in 1732 as a journeyman printer and as an editor of a short-lived German-language newspaper produced under Franklin's auspices.[31]

Although Timothee sometimes failed to pay Franklin his full dividend or to pay promptly, he proved a faithful partner. Encouraged by this success, Franklin established other partnerships and working arrangements throughout the colonies. He wrote in his autobiography:

> The Partnership at Carolina having succeeded, I was encourag'd to engage in others, and to promote several of my Workmen who had behaved well, by establishing them with Printing-Houses in different Colonies, on the same terms with that in Carolina. Most of them did well, being enabled at the End of our Term, Six Years, to purchase the Types of me; and go

[26]*Ibid.*, pp. 1325-26, 30-31.

[27]*Ibid.*, pp. 1357, 60-61.

[28]Hugh Meredith to Benjamin Franklin, 14 July 1730, in Labaree, 11: 175; "The Autobiography" in Lemay, pp. 1366-67.

[29]"The Autobiography" in Lemay, p. 1368.

[30]"Articles of Agreement with Thomas Whitmarsh," 13 September 1731, in Labaree, 1: 205-08; "The Autobiography" in Lemay, p. 1399.

[31]"Articles of Agreement with Thomas Whitmarsh," 13 September 1731, in Labaree, 1: 205; and "Articles of Agreement with Louis Timothee," 26 November 1733, in *ibid.*, 1: 339-42.

> on working for themselves, by which several Families were raised.[32]

Timothee, who later changed his name to Lewis Timothy, entered into a similar six-year agreement with Franklin on November 26, 1733. Under its terms, it allowed Timothee's son Peter Timothy to succeed his father in the event of death. As with Whitmarsh, this came sooner than expected -- in 1738, when the boy was just 13. As a result, widow Elizabeth Timothy replaced her husband, becoming one of the earliest women printers in the American colonies.[33] Franklin praised her business sense, writing she "manag'd the Business with such Success that she not only brought up reputably a Family of Children, but at the Expiration of the [six-year] Term was able to purchase of me the Printing House and establish her Son in it."[34]

To succeed Lewis Timothy in the Philadelphia shop, Franklin hired James Parker, an apprentice who had run away from New York printer William Bradford. Perhaps Franklin saw in Parker a reflection of his own plight a decade previously, but out of regret for his own imprudence, Franklin insisted that Parker return to New York and finish his apprenticeship before entering into a partnership.[35]

In 1741 Franklin set up Parker in New York, in the same way and under nearly the same agreement as Timothee. There is every reason to suspect the two men were motivated by the prospect of Parker replacing or succeeding his former master, the 77-year-old Bradford, as New York's public printer, an attractive position in the colonies.[36]

The subsequent vacancy in Franklin's shop was filled by Thomas Smith, but not for long. Franklin sent Smith to New York for several years to work for Parker, later sending Smith to Antigua (in early 1748) to publish the *Antigua Gazette* at the city of St. John's.[37]

Franklin also received help from his nephew, James Franklin Jr., whom he took on November 5, 1740, for a seven-year apprenticeship. Franklin wrote in his autobiography that he returned to New England in 1733 after a ten-year absence and visited his estranged brother James:

> I call'd at Newport, to see my Brother then settled there with his Printing-House. Our former Differences were forgotten, and our Meeting was very cordial and affectionate. He was fast declining in his Health, and requested of me that in case of his Death which he apprehended not far distant, I would take home his Son, then but 10 years of Age, and bring him up to

[32]"The Autobiography" in Lemay, p. 1410.

[33]"Articles of Agreement with Louis Timothee," 26 November 1733, in Labaree, 1: 339-42; "The Autobiography" in Lemay, p. 1399.

[34]"The Autobiography" in Lemay, p. 1399.

[35]Alan Dyer, *A Biography of James Parker, Colonial Printer* (Troy, N.Y., 1982), pp. 4-5; Labaree, p. 1325.

[36]"Articles of Agreement with James Parker," 20 February ll 1741, in Labaree, 2: 341-46; Dyer, p. 5.

[37]Benjamin Franklin to William Strahan, 19 October 1748, in Labaree, 3:321-22.

> the Printing Business. This I accordingly perform'd, sending him a few Years to School before I took him into the Office.[38]

After completing his apprenticeship, the young Franklin returned to his native Newport, R.I., joining his mother, Ann, as a printer. Both maintained close ties to Franklin.[39]

By the summer of 1743, Franklin had financed and profited from three printing houses: his in Philadelphia, Timothy's in Charleston, and Parker's in New York. However, he had further expansion on his mind, as he revealed in a letter to longtime friend and London printer William Strahan. In response to a letter from Strahan recommending a young journeyman printer, Franklin wrote:

> I have already three Printing-Houses in three different Colonies, and purpose to set up a fourth if I can meet with a proper Person to manage it, having all the materials ready for that purpose. If the young Man will venture over hither, that I may see and be acquainted with him, we can treat about the Affair, and I make no doubt but he will think my proposals reasonable....[40]

The "young man" was David Hall, a journeyman printer for Strahan. Franklin hired him in 1744 as a journeyman, intending to set him up eventually in the West Indies. However, Franklin grew to like Hall so much that he made him his partner in the Philadelphia office on January 1, 1748. This relationship proved beneficial for Franklin, who had become involved in numerous scientific, political, civic, and philanthropic enterprises. In describing his work on one of these projects, the construction of a school in 1745, Franklin wrote:

> I went thro' it the more cheerfully, as it did not then interfere with my private Business, having the Year before taken a very able, industrious & honest Partner, Mr. David Hall, with whose Character I was well acquainted, as he had work'd for me four Years. He took off my Hands all Care of the Printing-Office, paying me punctually my Share of the Profits. This Partnership continued Eighteen Years, successfully for us both.[41]

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[38]"James Franklin: Indenture of Apprenticeship," 5 November 1740, in Labaree, 2, 261-62; Thomas, *The History of Printing in America*, pp. 315-16; "The Autobiography" in Lamay, pp. 1401-02.

[39]James Franklin Sr. died in 1735. "The Autobiography" in Lemay, p. 1402; "James Franklin: Indenture of Apprenticeship," 5 November 1740, in Labaree, 2: 261-63.

[40]Benjamin Franklin to William Strahan, 10 July 1743, in *ibid.*, 2: 383-84.

[41]Benjamin Franklin to William Strahan, 4 July 1744 in *ibid.*, 2: 409; Benjamin Franklin to William Strahan, 16 November 1745 in *ibid.*, 3: 45-46; "Articles of Agreement with David Hall," 1 January 1748 in *ibid.*, 3: 263-67; "The Autobiography" in Lemay, p. 1420.

The arrangement lasted until 1766, when Hall took on a partner, William Sellers, and continued to operate the printing business.

Whitmarsh, Timothy, Parker, Smith, and Hall had been hired as journeyman printers and rose to partnership with Franklin, while former apprentice James Franklin Jr. became a partner with his mother in Newport. Of this group, all but Hall moved on, establishing themselves elsewhere with Franklin's backing. As they set out on their own, they collected employees and some, partners, all the while remaining bound to Franklin by contract and/or loyalty.

Although Franklin was motivated more by money than altruism,[42] his formation of a network of printers contributed to the growth of the trade and was probably the first trade organization -- albeit informal -- in the colonies not developed through familial relationships. As Arthur M. Schlesinger wrote,

> [Franklin] augmented the intercolonial movement of journeymen and the planting of papers. Training a succession of young hands in his shop, he saw with his characteristic blend of idealism and practicality how he could at the same time promote popular enlightenment and benefit his pocketbook.[43]

By 1748, the year Franklin retired from active printing,[44] the Franklin sphere of influence had spread far and wide. Peter Timothy and his mother, Elizabeth, were printing in Charleston; Parker was in New York; Smith in Antigua; James Franklin Jr. and his mother, Ann, were in Newport; and Hall was in Philadelphia. As these printers thrived on their affiliation with the Franklin network, they recruited new members for their growing operations.

Perhaps Franklin's three most loyal and prominent printing associates were Hall, Peter Timothy, and Parker. After a cautious start, Hall and Franklin enjoyed a warm relationship until Hall's death in 1772. In a letter to Franklin, written December 15, 1759, Hall offered an idea of why he had earned Franklin's admiration and respect -- he remained faithful and never challenged Franklin's authority. "I flatter myself," Hall wrote, "that my Conduct, in general...is satisfactory to you, for I can, with great Truth, say, I have never done any thing, either with respect to public or private Business, but with a View to please all Parties; and if I have not altogether succeeded in it, I am sorry for it; it must be imputed to an Error of my Judgment, not of my Will."[45]

Timothy, a bit more feisty than the placid, businesslike Hall, periodically involved himself and his newspaper, The *South Carolina Gazette*, in controversy through his attacks on South Carolina Royal Governor James Glen and his ser-

[42]There are few references in Franklin's autobiography and papers which could be interpreted as indicating altruism as his primary motivation for establishing the partnerships. There are many references to his dividends and expenditures -- enough to lead one to believe this was Franklin's chief concern. Franklin's contractual arrangement with his printing associates called for him to receive a percentage -- usually one-third -- of the total profits made by the printers.

[43]Schlesinger, p. 56.

[44]"The Autobiography" in Lemay, p. 1420.

[45]David Hall to Benjamin Franklin, 15 December 1759, in Labaree, 8: 448-49.

vice as a postmaster while the Stamp Act was in force. The latter episode, coupled with Timothy's refusal "to direct, support and engage in the most Opposition" to the Stamp Act, led to Timothy's temporary fall from the favor of the Whigs. They set up Charles Crouch, Timothy's wayward former apprentice, as a competitor. In 1768, Timothy complained to Franklin that his fortunes had changed from being "the most popular reduced to the most unpopular Man in the Province."

Despite his tales of woe, Timothy printed in South Carolina for forty years. Isaiah Thomas, who spent two years working in Charleston for one of Timothy's rival printers, Robert Wells, wrote, "Timothy was a decided and active friend of his country. He was a very intelligent and good printer and editor....As a citizen he was much respected."[46]

However, the most active of the associates was Parker, who in his career operated presses in New York, Woodbridge and Burlington, N.J., and New Haven, Conn. After Franklin set him up in New York in 1741, Parker established the *New-York Post-Boy* in 1743 (printed as the *New-York Gazette or Weekly Post-Boy* beginning in 1747) and the *Connecticut Gazette* in 1755, as well as other publications.[47]

Parker's son Samuel Franklin Parker and his nephew Samuel Parker later learned the printing trade in Parker's shop, but both were too young to be of much help until nephew Samuel served an apprenticeship with his uncle and aided in the operation of the New Haven office in the mid-1750s. Not able to seek help from family with his printing operations, which by 1745 had grown dramatically due to increasing job-printing, government printing, a successful book trade, and the thriving *New-York Post-Boy*, Parker turned to others for assistance in the 1740s. This action led to the creation of Parker's "mini-network," or the second generation of the Franklin network. Fashioned after Franklin's own handiwork, the Parker coterie included such printers as William Weyman, John Holt, William Goddard, Hugh Gaine, and Benjamin Mecom, the son of Franklin's sister Jane Mecom.

Franklin's network was expanding, but it paled in comparison to his growing prominence as a statesman and key figure in the colonies. Thus, he was unable to spend as much time controlling his printing concerns, leaving that responsibility to be increasingly shouldered by Hall and Parker. Perhaps as a result of Franklin's lessened influence and interest, some unrest and serious divisions began to surface within the ranks, particularly among the second-generation printers. As members of the network sensed Franklin's diminished grip on the colonial printing operations, factionalism developed. Left to the control of the tepid Hall and the sickly, gout-ridden Parker, the web spun so delicately and expertly by Franklin began to twist and tear. It eventually disintegrated in the years dur-

[46]Jeffery A. Smith, "Impartiality and Revolutionary Ideology: Editorial Policies of the South-Carolina Gazette, 1732-1775," *Journal of Southern History*, 49 (November, 1983): 511-26; Peter Timothy to Benjamin Franklin, 3 September 1768, in William B. Willcox, ed., *The Papers of Benjamin Franklin*, 15: 200-01; Thomas, p. 569.

[47]For a complete list of Parker's publications, see Dyer.

ing and just after the Revolutionary War, although there is evidence Franklin attempted to form new partnerships in the 1780s.[48]

Analysis of Franklin's network and others patterned after it provides a larger view of the eighteenth-century printing trade, in which many actions were governed by economic and structural factors. Partnerships and networks aided printers by providing the capital to set up shop and the materials to remain in business. Networks also served as a means by which information and advice could be disseminated along associational lines. Printers also used networks to share their writings, and those of their correspondents, with other audiences.

Examination of networks suggests that early-American printers were not solitary entities, but rather were linked to their brethren through associations, which were the building blocks of networks. These associations and networks served to expand printing's influence, hasten the spread of opinion and information to a mass readership, and instill the importance of the press upon the collective consciousness of early America.

The careers of Franklin and his partners suggest the importance of informal association to the growth of the printing trade. Franklin seems to have based his network on mutual benefits and personal gain. This network was inextricably linked to the structure and growth of printing in the eighteenth century, a period in which the original intentions of the Constitution, specifically the First Amendment, were being framed.

[48]For example, see note 13 above.

Historiographical Essay

Freedom of the Press, 1690-1801: Libertarian or Limited?

by Wm. David Sloan and Thomas A. Schwartz

One of the most pervasive topics in American media history has been freedom of the press. Historians have viewed it as one of the cornerstones of America's political system, and practicing journalists correctly consider it as fundamental to America's system of news, information, and opinion. The Supreme Court of the United States has said that its knowledge of the understanding of freedom of the press by the framers of the First Amendment at least in part controls the law. Although historians have criticized the Court's "law office history," the nation's highest judicial body has been cognizant of some of the most visible scholarship in its decisions.[1] Historians and the Supreme Court seem in agreement on the significance of the history of freedom of the press during the eighteenth century to our contemporary understanding of the First Amendment.

In the study of press freedom, historians have given special attention to the period from 1690 (when America's first newspaper was founded—and suppressed) to 1801 (when the Alien and Sedition Acts expired). It was that period, they suggest, that saw the genesis of freedom. The foundation of liberty was laid, they reason, during the first century or so of American journalism, for a number of episodes occurred which decided the fundamental concepts of press freedom. The paramount one was the adoption of the First Amendment, which serves as the basis for all American law regarding press freedom. Historians therefore have regarded that early period as critical in determining the nature of freedom of the press, indeed in deciding even whether there was to be freedom, and in serving as the groundwork for most later developments.

The range of material on freedom of the press is wide. In his bibliography, Ralph E. McCoy in 1967 annotated about 8,000 books, pamphlets, journal articles, films, and other materials from English-speaking countries beginning with the inception of printing. In a supplement covering another ten years, he counted about 4,000 more items. In 1984, another bibliographer estimated about 4,000 books and articles had been published since 1974. Leonard W. Levy, the most controversial of the press freedom historians, listed about 400 key works in his

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[1]Alfred H. Kelly, "Clio and the Court: An Illicit Love Affair," *Supreme Court Review* 1965 (1965): 119-58; Charles A. Miller, *The Supreme Court and the Uses of History* (Cambridge, 1969); Wilcomb E. Washburn, "The Supreme Court's Use and Abuse of History," *Organization of American Historians Newsletter*, 11 (August 1983): 709.

1985 bibliography.[2]

Historical interpretation of freedom of the press has centered primarily on the question of whether the early American concept was truly libertarian. Historians have differed sharply on whether Americans believed in complete freedom or simply supported it on a limited basis when freedom served their cause. Debate among historians began in earnest with the publication of Levy's *Freedom of Speech and Press in Early American History: Legacy of Suppression* in 1960. Levy argued that the concept of freedom of the press in early America included no more than freedom from prior restraint. His study, one of the most influential works ever published on journalism history, touched off a tempest.

Previous historiography had consistently assumed that the libertarian tradition was strongly rooted in America from the time the first newspaper appeared. Virtually all historians, no matter when they were writing or what their school of historiography, had written within a libertarian context, viewing journalists as advocates of free expression and the dominant American attitude as one of complete freedom of thought. In the nineteenth century, Nationalist historians considered the United States the cradle of liberty and the leader for the improvement of mankind. A libertarian acceptance of freedom of expression flowed naturally, they believed, from Americans' fundamental beliefs. The Progressive historians of the twentieth century also believed that most Americans were libertarians but that wealthy and aristocratic classes had attempted to suppress freedom of the press. A central feature of American and journalism history, therefore, had been a conflict of social, political, and economic groups, in which the mass, democratic class fought to overcome the repression which the wealthier class had attempted to impose. Progressive historians assumed that elitist leaders had exploited "freedom of the press" for their own ends. Instead of a check on government, the press became a tool for preserving entrenched interests. A third group of historians, writing in the twentieth century and composed primarily of professors in law and journalism schools, legitimized the modern approach to the ticklish issues of freedom of expression in favor of the press. The legists sought historical support for a libertarian ideology that offered the "marketplace of ideas" as a constitutional model. Journalism professor-historians sought historical support for the practices and ideals of the journalism profession and for the elevated status of the press.

Levy's work stood these traditional interpretations on their head. Most historians since 1960 have written about freedom of the press in reaction to Levy or have had his assessment clearly in mind. The legal and journalistic historians perceived Levy's research as a danger to their ideologies; and, joined by other historians who held the traditional view of America as a land of liberty, they mounted a vigorous defense of the libertarian position.

Levy and the debate he generated have played a valuable role in the continuing

[2]See Ralph E. McCoy, *Freedom of the Press: An Annotated Bibliography* (Carbondale, Ill., 1968); McCoy, *Freedom of the Press: A Bibliocyclopedia: Ten Year Supplement (1967-1977)* (Carbondale, 1979); Peter E. Kane, "Freedom of Expression: The Last Decade," *Choice*, 21 (January 1984): 666; Leonard W. Levy, *Emergence of a Free Press* (New York, 1985), 361-72.

study of freedom of the press. The debate not only has helped, in a pragmatic way, to direct the future for press freedom, but it also has encouraged substantial research on the several sides of the central issue in the history and meaning of press liberty. The subject of press freedom, as the following discussion suggests, has been of considerable interest since the study of journalism history was first undertaken at the beginning of the nineteenth century.

The Nationalist School (1810-1910)

The Nationalist period provided the initial documentation and interpretation of the history of American press freedom, and its histories ranged from the contemporaneous to the beginning of the twentieth century. The authors were men of leisure with the time to pursue history as an avocation, men of professional classes, and journalists with a bent toward history.

The Nationalist historians wrote of freedom of the press in terms of the fulfillment of the individual, incorporating the Enlightenment concept of natural rights into the romantic ideal of the perfection of mankind. Working within a framework of the unfolding advance of people and their institutions, historians attempted to reveal the progress of freedom of the press within an overall story of the developing liberty of mankind and, in particular, of the American people. They viewed the nation itself as the cradle of libertarianism. Most of these historians wrote about freedom of the press in terms of the political splits of early America, between colonists and British authorities and between Patriots and Tories. Their attention centered on the colonial and revolutionary periods, when Americans were struggling to free themselves from oppressive British rule, and virtually ignored the early years of American independence. Fulfillment of human rights, they believed, had been accomplished with the separation from England.

They pictured the sides in the conflict as those who advocated the natural rights of liberty and those who supported authoritarian government. Isaiah Thomas, American journalism's first historian, expressed the Nationalist interpretation of the struggle in classic Enlightenment terms. "The rulers in the colonies of Virginia in the seventeenth century," he said, "judged it best not to permit public schools, nor to allow the use of the press and thus, by keeping the people in ignorance, they thought to render them more obedient to the laws, and to prevent them from libelling the government, and to impede the growth of heresy, &c."[3] Thomas' Englightenment concept persisted in most histories which followed, even in those written as late as the early twentieth century. Robert Livingston Schuyler, for example, in *The Liberty of the Press in the American Colonies Before the Revolutionary War* (1905) wrote that colonists' arguments for freedom were based on their contention that they had "constitutional" rights as Englishmen and, according to Lockean theory, natural rights as individuals. Their intent, he reasoned, was to safeguard individual liberty from government infringement.

Nationalist historians interpreted specific episodes in the same context, considering, for example, the Zenger case as a landmark in the advance of liberty. In

[3]Isaiah Thomas, *The History of Printing in America* (Worcester, Mass., 1810), 7.

one of the first historical studies of press freedom, Benson J. Lossing in 1878 wrote that the case "was a notable struggle in the province of New York for the maintenance of the liberty of the press." Considered in all its social, political, and historical contexts, "the struggle constituted one of the most important events in the early annals of the state." The controversy, he said, revolved around two factions, one supporting "royalty and its prerogatives; the other...sovereignty of the people and freedom of thought and of speech." Placing the Zenger case in the long natural-rights tradition, Lossing reasoned that it involved "the great principles enunciated in the Magna Charta and the Bill of Rights. It raised the question of the right of the subject to criticize the conduct of the ruler, the liberty of speech, and the freedom of the press." Contemporaries viewed it as the beginning of American liberty, revealing the "philosophy of freedom both of thought and speech as an inborn human right."[4] In the standard biography of Zenger, *John Peter Zenger, His Press, His Trial and a Bibliography of Zenger Imprints* (1904), Livingston Rutherford concluded that the trial fulfilled the libertarian concept and made a significant impact on the practice of press freedom. For one thing, he said, it "first established in North America the principle that in prosecution for libel the jury were the judges of both the law and the facts." Second, "the liberty of the press" was made "secure from assault, and the people became equipped with the most powerful weapon for successfully combating arbitrary power, the right of freely criticizing the conduct of public men." Furthermore, the "result of the trial had imbued the people with a new spirit; henceforth they were united in the struggle against governmental suppression."[5]

Even though later historians added some particulars to their studies of early freedom of the press, the libertarian interpretation which the Nationalist historians employed continued as the basis for explaining journalistic freedom.

The Progressive School (1900-1950)

The Progressive historians of the early twentieth century added the history of the early independence period of the United States to their studies, assuming that total victory of human freedom from government oppression had not been achieved with independence. Instead, the Progressives viewed with apprehension the Federalist attempts to maintain the political power for the elite. They believed the Alien and Sedition Acts which the Federalists passed in 1798, and the struggle of the masses of common people against them, to be part of the continuing fight of the people to liberate themselves from the suppressive domination by an entrenched, conservative minority.

In one of the most substantial accounts focusing on the progress of American newspaper freedom, *The Development of Freedom of the Press in Massachusetts* (1906), Clyde A. Duniway detailed the slow evolution of liberty within an overall story of the attempt of the people to open government proceedings to public view. In colonial Massachusetts, the royal government tended to place restric-

[4]Benjamin J. Lossing, "Freedom of the Press Vindicated," *Harper's New Monthly Magazine*, 57 (July 1878): 293, 295.

[5]*John Peter Zenger...* (New York, 1904), 131.

tions on freedom of expression and arbitrarily to exercise control over the press. Until 1730 careful supervision of newspapers was specified by law; but editors struggled against restrictions, supervision gradually diminished, and more and more newspapers were published without license. After 1730 the colonial governor was no longer required to maintain censorship, but criminal prosecutions for seditious libel were relied on to check the press. After the Revolution and under the state constitution, unrestricted but undefined freedom became a part of the law. Despite such protection the press still was prosecuted under the Sedition Act, and it was not until the passage of a just and reasonable libel law in 1827 that the press finally gained its complete freedom.

In the struggle for freedom, Republican editors were portrayed favorably by Progressive historians as fighters for liberty, while advocates of government restrictions were pictured as tyrants attempting to repress the people. In "The Enforcement of the Alien and Sedition Laws"[6] (1914), for example, Frank M. Anderson described the highhanded actions of Federalist officials and detailed the numerous Republican charges of unfairness. Juries were packed, Anderson maintained, judges interpreted the laws favorably in accord with Federalist sentiment, and the deportment of some judges was questionable. *In The Public Life of Thomas Cooper, 1783-1839* (1926), Dumas Malone constructed the Progressive portrait of a Republican defender of press freedom. Cooper was convicted under the Sedition Act for a libel of President John Adams, sentenced to six months in jail, and fined $400. One of the earliest advocates of a libertarian doctrine of press freedom, he was fearless in defying the Alien and Sedition Acts, and his most firmly held belief was a person's right to freedom of expression. Malone characterized Cooper as idealistic, individualistic, even radical in his view on the rights of the individual, a philosopher who fit perfectly the pro-Jeffersonian Progressive view of Republicans as pure advocates of democracy.

The Progressive historians worked with inspiration provided in part by Charles Beard, whose famous economic interpretation of the Constitution speculated on the theory that the framers of the national government sought primarily to protect their own financial interests in maintaining the status quo.[7] How the First Amendment exactly plays a role in explaining Beard's undocumented theory is a question complicated by the respective political, geographic, and economic interests of the Federalists and Antifederalists at the constitutional convention and the subsequent state ratifying conventions and by the same interests of the Federalists and Republicans during the administration of John Adams. Research conducted later by other historians on the factions that emerged as political parties has kept the Progressive flame alive. In the context of the First Amendment, campaigns for greater social responsibility in the news media—for example, the efforts of the Commission on Freedom of the Press in 1947—are based on a historical view of distrust of the economic power and wealth of those in control of the media. In fact, William E. Ames, after winning the William G. Bleyer

[6]In *Annual Report of the American Historical Association, 1912* (Washington, D.C., 1914), 113-126.

[7]Charles A. Beard, *Economic Interpretation of the Constitution of the United States* (New York, 1913). More generally, see John F. Manley and Kenneth M. Dolbeare, eds., *The Case Against the Constitution* (Armonk, N.Y., 1987).

Award in 1987 for outstanding contributions to the study of mass communication history, chided his fellow journalism historians for promulgating the views of the media industry and neglecting the Progressive tradition. "Probably one of the mistakes which communications historians have made is in accepting the information industries' assumption that the media are and should be the central institution in providing the vital information function for a democratic society," Ames said. "The press is always the handmaiden of the dominant element of society....The major responsibility of the press appears to be the promotion of capitalism and the destruction of all other economic systems."[8]

The Professional School (1918-present)

The beginning of the professional period is marked by the dicta in Justice Oliver Wendell Holmes, Jr.'s opinion for the Supreme Court in the case of *Schenck v. United States* (1919) and, more importantly, his dissenting opinion in *Abrams v. United States* (1919). Holmes and, to an equal extent, Justice Louis Brandeis began with these opinions the Court's first attempts to declare the historical and thus controlling meaning of the First Amendment's provisions for freedom of expression. Holmes and Brandeis' pronouncements assumed that the framers and their American and British revolutionary predecessors had intended that freedom of expression should be vigilantly protected from governmental interference and retribution. The marketplace of ideas, Holmes' famous analogy for the system for freedom of expression, assigned a passive role to the government, especially in the area of political discussion. Only expression that posed a clear and present danger could be addressed by Congress. Although initially slow to embrace Holmes and Brandeis' legal history and theory, the Court today uses the libertarian model for the resolution of press freedom cases.

Three kinds of historians contributed to the libertarian interpretation of freedom of the press in this critical period of historical research: legal scholars interested in the implementation of a libertarian First Amendment policy in the courts; political historians interested in the libertarian approach for a cohesive theory to explain the formation of the republic, including the role of the First Amendment and the press; and press historians interested in the libertarian ideology necessary for the advancement of the journalism profession.

Court opinions, while essential to contemporary law, did not explain history. The job of analyzing history for legal purposes was left to legal historians.

[8]William E. Ames, "Some Thoughts About Press Freedom and Our Research," *Clio Among the Media*, 20 (January 1988): 10-11. The writings of Jerome Barron, who insists on a constitutional right of the individual to have access to the press, is also consistent with this approach. See, e.g., Jerome A. Barron, *Freedom of the Press for Whom? The Right of Access to Mass Media* (Bloomington, Ind., 1973). John Lofton also has argued that the press has not even been diligent in helping protect First Amendment freedoms, especially of others. *The Press as Guardian of the First Amendment* (Columbia, S.C., 1980). Some media critics have argued that media monopoly has been a greater threat to freedom of the press than the government. Morris L. Ernst, *The First Freedom* (New York, 1940); Bryce Rucker, *The First Freedom* (Carbondale, 1968). Cf. Edward S. Corwin, "Freedom of Speech and Press Under the First Amendment: A Resume," *Yale Law Journal*, 30 (November 1920): 48-55.

While the opinions of Holmes and Brandeis and other later libertarian justices contain quotations from the writings of Jefferson and Madison, the citations are highly selective to establish a seemingly irrevokable historical foundation for the modern libertarian perspective. Yet their historical research, such as it is, was of no small significance in the history of freedom of the press. It not only made a substantive contribution to the development of thought on the subject, but it also influenced the way in which historians have methodologically approached the subject. Harvard Law Professor Zechariah Chafee and other legal scholars trained in the adversarial spirit of law schools—for examples, Theodore Schroeder and Henry Schofield—advocated similar views with thoroughly documented and articulate monographs, which won wide acceptance in intellectual communities.[9]

Until 1960, for the most part, the prevailing attitude of historians squared with these legalistic justifications for the Supreme Court's jurisprudence. In the 1940s and 1950s, political historians offered explanations of events and trends consistent with the libertarian interpretation. Philip Davidson's *Propaganda and the American Revolution, 1763-1783* (1941), Clinton Rossiter's *Seedtime of the Republic* (1953), and Arthur Schlesinger's *Prelude to Independence* (1958) reviewed the thoughts and actions of political leaders and newspaper editors in an attempt to reinforce the position that the modern libertarian theory of freedom of the press was born before the First Amendment. Vincent Buranelli's *The Trial of Peter Zenger* (1957) embodied the libertarian evaluation of Zenger as a heroic advocate of freedom of the press against tyrannical laws and authorities in 1734. Buranelli painted the Zenger episode in black and white terms of good versus evil—liberty versus repression—and marked Zenger's trial for seditious libel as a milestone in the American concept of press freedom. Zenger and his supporters, Buranelli wrote, became "something to be referred to whenever the liberties of the subject were endangered."

The two best books on the Alien and Sedition Acts were John C. Miller's *Crisis in Freedom* (1951) and James Morton Smith's *Freedom's Fetters* (1956). Both historians argued that the laws did not express the prevailing sentiment among the American people, but were instead politically motivated attempts by Federalists to silence their opposition, the Republicans. Miller explained that the laws were enacted during a time of perceived national crisis, when a war with France seemed imminent. Federalists used the period of hysteria brought on by the excesses of the French Revolution to their advantage to enact legislation intended to protect themselves from criticism by opponents. Like Miller, Smith concluded that the laws were a logical development of the Federalists' authoritarian views on government and were not in accord with the dominant American attitude toward freedom and democracy. He did argue, however, that the laws had a positive influence in that they played a prominent role in shaping the development of the American tradition of civil liberties, with its emphasis on majority

[9]Henry Schofield, "Freedom of the Press in the United States," in Schofield, ed., *Essays on Constitutional Law and Equity*, 2 vols. (Boston, 1921), 2: 510-71; Theodore Schroeder, *Constitutional Free Speech Defined and Defended in an Unfinished Argument in a Case of Blasphemy* (New York, 1910).

rule and individual rights.

Despite such temporary setbacks as the Alien and Sedition Acts, the libertarian school maintained, the American concept of press freedom has been traditionally libertarian, taking the First Amendment as its guarantee, and has continually expanded. In *The Birth of the Bill of Rights* (1955), Robert Rutland declared that the rights guaranteed in the first ten amendments were, in the minds of the people of the time, extremely important and inviolable by the government. Even the opponents of the Bill of Rights were advocates of democracy and supporters of the rights themselves, basing their opposition on the argument that having the rights specified in written form might lead to their being interpreted too narrowly.[10]

Journalistic studies concentrated on three subjects: aspects of early philosophies of freedom of the press that resembled modern interpretations, individuals whose journalistic or political behavior seemed to make them heroes in the advancement of enlightened thought, and particular events as landmarks in the hard-fought battle for freedom. Journalism historians placed all of them in the longer story of the evolution of the press from outside influence and regulation. Individuals who in some way had made contributions to freedom were treated favorably as libertarians, and their service detailed for how it enlarged the concept and practice of press freedom. When apparent inconsistencies existed in stands the individuals had taken on freedom, historians frequently attempted to rationalize the inconsistencies as fitting into an overall libertarian philosophy. The most popular biographical subjects have been William Bradford, William Goddard, Benjamin Harris, James Franklin, Benjamin Franklin, Philip Freneau, Thomas Jefferson, and John Peter Zenger. Their actions in defiance of authority were considered advances in freedom, as it is enjoyed today. The best of press freedom historians from the journalism field preferred the view that the adoption of the First Amendment vindicated the righteous struggle of the colonial newspapers against authority. Frank Luther Mott's *Jefferson and the Press* (1943), as among the most detailed early studies by a journalism historian, epitomized the libertarian interpretation of Jefferson as the foremost American libertarian thinker on freedom of the press.

In describing his views on freedom and his relationship with journalists, Mott presented Jefferson as a purist philosopher on press freedom who could do little wrong despite the fact that on many occasions journalists treated him harshly and unfairly. Journalism historians viewed such events as the government's suppression in 1690 of America's first newspaper, Harris' *Publick Occurrences, Both Foreign and Domestick*, and James Franklin's publication in the 1720s of his acerbic Boston *News-Letter* as milestones in the growth of press freedom.

The libertarian theory and history of the First Amendment are arguably the prevailing justification for the modern state of freedom of the press, at the Supreme

[10]For the argument that the Antifederalists were at least partly sincere in their arguments for the Bill of Rights instead of its use as a smokescreen for the defeat of the Constitution, see T. Daniel Schumate, ed., *The First Amendment: The Legacy of George Mason* (Fairfax, Va., 1985), and Jackson Turner Main, *The Antifederalists: Critics of the Constitution, 1781-1788* (Chapel Hill, N.C., 1961).

Court as well as in schools of history. The libertarian historians' work did not end in 1960, but they were put on the defensive after that point.

The Legacy of Levy

Before Leonard Levy published *Legacy of Suppression* in 1960, only a few historians had attempted to explain early freedom of the press outside the libertarian interpretation, and those who did limited their studies to isolated episodes. They made no effort to examine the overall question of whether early American attitudes were truly libertarian. One of the earliest historians to question the traditional interpretation was Thomas F. Carroll. In "Freedom of Speech and the Press in the Federalist Period: The Sedition Act"[11] (1920), he suggested that the First Amendment was not intended to deny the government power over the press. Instead, it simply gave the press the freedom to publish material which did not interfere with the government's performance of its constitutional functions. In the 1950s, Marshall Smelser argued that leading Federalists, including even such luminaries as George Washington, held repressive attitudes toward the expression of critical opinion and during an age influenced by passion were able to pass the restrictive Sedition Act.[12] Warren C. Price questioned the significance of the Zenger case, traditionally a *cause celebre* among historians, in "Reflections on the Trial of John Peter Zenger"[13] (1955). He argued that the background of the case revolved around politics rather than freedom of the press and that Zenger's feud with the government gained public support primarily because of the unpopularity of New York's colonial governor, William Cosby. Price pointed out that despite the fact that the case has been considered a landmark in the history of American press freedom, it did not set any legal precedent broadening freedom.

Such works by historians stand out because they were among the very few to present divergent interpretations of the early American concept of liberty of expression. As attempts to revise the traditional interpretation, however, they had meager success. Such was not the case with Levy's work. Indeed, *Legacy of Suppression* was one of the most influential works ever written in changing historical interpretation in journalism. Levy contended that the theory of freedom of expression in early America was narrow, that the First Amendment was not intended to supersede the existing common law against seditious libel, and that it was not until the debates over the Alien and Sedition Acts that a libertarian concept of freedom of expression got a solid foothold. As measured against Levy's libertarian standard, the early American view of freedom of expression fell short.

In colonial times, liberty was advocated in words but "dishonored in practice," according to Levy. English philosophers such as John Locke and John Milton did not disagree with the common law concept which made criticism of government a crime, and subsequent libertarians passed on to American leaders "in unaltered form an unbridled passion for a bridled liberty of speech." When America's

[11]*Michigan Law Review*, 28 (May 1920): 615-51.

[12]Marshall Smelser, "George Washington and the Alien and Sedition Acts," *American Historical Review*, 59 (January 1954): 332-34.

[13]*Journalism Quarterly*, 32 (1955): 161-68.

proponents of revolution talked of freedom, they intended a freedom confined to themselves and for only those people on their side. Such a philosophy, Levy declared, "is not free speech at all, or at best is an extraordinarily narrow concept of it." Thus, colonial and revolutionary America had little experience with true freedom of expression "as a meaningful condition of life." During the Revolution itself, freedom of the press did not exist, since trying times of a war are not ideal for nurturing freedom; and liberty existed only for the praise of the Patriot side. Criticism of the Patriot cause, which its supporters claimed was the cause of liberty, "brought the zealots of patriotism with tar and feathers."[14]

Even after the Revolution with the adoption of the Bill of Rights and its guarantee of press freedom, Levy argued, the common law on sedition remained in effect. Although it is uncertain what the writers of the First Amendment intended it to mean, they did not intend complete freedom, and they did not intend to protect criticism of government. Instead, the evidence suggests that they intended to leave the Blackstonian definition of freedom intact and the common law of seditious libel in force. It was not until the public outcry over the Sedition Act, Levy suggested, that American libertarian thought really emerged, although libertarian arguments of the time appear to have been presented primarily for political purposes rather than for the philosophical cause of freedom. The debate did, however, have the effect of casting off the Blackstonian concepts of press freedom and instituting a new American theory of the right of the individual to freedom of expression.

Levy himself has largely kept alive what James Morton Smith termed "a sledgehammer attack" on the libertarian position.[15] He slightly revised the 1960 edition of his book in 1963, but he revised it more extensively in 1985. The 1985 revision, entitled *Emergence of a Free Press*, was fortified with new evidence and new arguments that true freedom of the press did not exist in the United States until the Sedition Act debates, that the colonial assemblies were more suppressive than royal courts, that the First Amendment was more a consequence of federalism than libertarianism, that the whole Bill of Rights was a political accident, that free press theory was narrow until 1798, and that English libertarian theory was considerably advanced in comparison to American theory of press freedom. Levy revised himself only on the point that press freedom practice was limited in the colonies. After examining thirty-three colonial newspapers from 1704 to 1820, however, Levy would accede only that he "was puzzled by the paradox...of nearly unfettered press practices in a system characterized by legal fetters and the absence of a theory of political experience that justified those press practices."[16] In several related works, Levy has also suggested among other things that Thomas Jefferson's attitude toward freedom was restrictive rather than libertarian and that the Zenger verdict was more the result of the forensics of his lawyer, Andrew Hamilton, than a milestone in the development of freedom from

[14]*Legacy of Suppression: Freedom of Speech and Press in Early American History* (Cambridge, Mass., 1960), 105, 87, 176.

[15]James Morton Smith, book review, *Review of Books*, 3rd series, 42 (October 1985): 549.

[16]Levy, *Emergence of a Free Press*, xvii.

the common law of seditious libel.[17]

Another one of the most pointed critiques of traditional assumptions was C. Edward Wilson's "The Boston Inoculation Controversy: A Revisionist Interpretation" (1980). Wilson argued that James Franklin's *New-England Courant*, which had an historical reputation as the first American newspaper to publish outside governmental authority and the first to conduct an editorial crusade, does not deserve credit for either. The *Courant* campaigned against inoculation for smallpox during an epidemic in Boston in 1721. Franklin opposed inoculation in part because Increase and Cotton Mather, New England's religious leaders, advocated it. Contrary to the traditional historical view that Franklin was the first editor to take up the issue, Wilson argued that the press debate over inoculation already was being waged before the *Courant* began publication, the people of Boston generally shared Franklin's anti-inoculation position (thus making his opposition less significant than it might have been if he had been either the originator or leader of the campaign), and Franklin's campaign had little meaning as a challenge to authority because "the colonial government was either neutral or impotent in respect to newspapers of the time."[18] Neither did Wilson picture Franklin as a defiant, certain advocate of press freedom. Franklin, Wilson concluded, was unsure of his view on freedom of the press and tended to waiver and backpedal on the issue when confronted by authorities.

Some conservative legal historians were pleased with Levy's conclusions. Alexander Bickel of the Yale Law School saw Levy's lessons to be helpful in support of his and Justice Felix Frankfurter's advocacy of greater moderation on the part of the Supreme Court in First Amendment as well as other cases.[19] Philip B. Kurland of the University of Chicago used Levy's evidence to deride the libertarian view of the First Amendment because of the faulty historicism in such precedents as the *Schenck* and *Abrams* cases.[20]

While, like Levy, challenging the libertarian interpretation, a third conservative legist argued, however, that Levy naively assumed that the Jeffersonians deserved credit for advances in the American concept and practice of freedom of expression. In "Freedom of the Press and the Alien and Sedition Laws: A Reappraisal" (1970), Walter Berns suggested that Jefferson and his followers were unable to fashion a libertarian philosophy of freedom because they were tied to the Southern system of slavery. Contrary to Levy's assumption, he declared, "it was not really a 'broad libertarian theory' that emerged during the fight against the Alien and Sedition Laws," for the principle on which Republicans based their Virginia and Kentucky Resolutions in opposition to the laws was not really a li-

[17]Levy, *Jefferson and Civil Liberties: The Darker Side* (Cambridge, Mass., 1963); Levy, "Did the Zenger Case Really Matter?," *William and Mary Quarterly*, 17 (January 1960): 35-50. Also see his *Freedom of the Press from Zenger to Jefferson: Early American Libertarian Theories* (Indianapolis, Ind., 1966).

[18]*Journalism History*, 7 (1980): 16.

[19]Alexander Bickel, "What the Founders Believed," *New Republic*, 143 (18 July 1960): 15.

[20]Philip B. Kurland, "The Irrelevance of the Constitution: The First Amendment's Freedom of Speech and Freedom of Press Clauses," *Drake Law Review*, 29 (1979-80): 1-13.

bertarian "version of civil liberties but the doctrine of states' rights, or nullification, or disunion." Primarily responsible for the "development of a liberal law of free speech and press—for fashioning a remedy for the deprivation of the constitutional rights of freedom of speech and press—" Berns argued, "were the Federalists Alexander Hamilton and James Kent, who were able to do this because, unlike Jefferson and his colleagues and successors, they were not inhibited by an attachment to the institution of slavery."[21]

The Neo-Libertarian School (1963-present)

Libertarian reactions to Levy came in three forms. One school of historians argued that even if Levy were correct in his conclusion that the philosophy of freedom was limited, real practical advances in freedom did occur. The second confronted Levy's interpretation directly and argued that the weight of early American philosophy was truly libertarian. Finally, a group of legal scholars conducted a spirited defense of the twentieth century jurisprudential approach to press freedom, while building an even stronger historical basis for it.

The first school, which was made up almost exclusively of journalism professors, including several at the University of Wisconsin, explained the growth of freedom of the press as a result of political pragmatism, as an outcome of partisan conditions in which certain groups or individuals viewed freedom as beneficial to their causes. While their arguments for press freedom were motivated largely by selfish interests, their advocacy of freedom often promoted the growth of freedom as a concept and its extension to other members of society. The view of this school was epitomized in the work of Dwight Teeter, a journalism professor specializing in media law. Drawing on research from his doctoral dissertation at the University of Wisconsin, revealingly entitled "Legacy of Expression," he elaborated in a number of studies the thesis that the development of early freedom of the press sprang from freedom's usefulness in practical politics. In "Press Freedom and the Public Printing: Pennsylvania, 1775-83"[22] (1968), he concluded that Philadelphia journalists, although getting financial support through government printing, still criticized the government. They believed newspapers should carry conflicting opinions and that criticism of the government served the public good. In their criticism, they were protected by the maneuverings of political factions and were free from excessive reliance on government's economic support. In a study of an individual journalist, "The Printer and the Chief Justice: Seditious Libel in 1782-83" (1968), Teeter concluded that although Philadelphia's Eleazer Oswald's arguments for press freedom "sprang more from practical politics and the desire to avoid punishment than from libertarian principle...by asserting a right to criticize government and government officials," his newspaper, the *Gazetteer*, struck at the heart of the law of seditious libel. Although his struggle was "for a one-sided freedom—his own—Oswald anticipated, in part, the broader freedom which the Jeffersonians helped create during their struggle against the Sedition Law of 1798."[23]

[21]*Supreme Court Reports* 1970 (1970): 109-59. Also see Berns' *The First Amendment and the Future of American Democracy* (New York, 1976).

[22]*Journalism Quarterly*, 45 (1968): 445-51.

[23]*Journalism Quarterly*, 45 (1968): 260. Representative of the journalistic

Other historians, in studies ranging in subject matter from isolated episodes to the development of philosophies of freedom of the press, filled in details of this interpretive approach. Harold L. Nelson, who had been Teeter's professor at the University of Wisconsin, concluded that the Croswell case in 1804 resulted in greater press freedom by establishing truth as a defense and vitiating the argument that libels tend to cause breaches of the peace by libeled individuals seeking revenge.[24] Lawrence H. Leder, in a study of attitudes of American editors toward freedom of the press from 1690 to 1762, concluded that speculation on freedom did not appear in the first thirty years, showing up only as new papers tried to break press monopolies.[25] John D. Stevens contended that when Republicans, confronted with Federalist efforts to enact the Alien and Sedition Acts, found that "the procedural safeguards which had been the essence of libertarian thought up until that time were worthless in the hands of political enemies, they championed a broader definition."[26] Cathy Covert, in a history of the Zenger trial, argued that Zenger was simply the printer for James Alexander, who developed his ideas of press freedom because of his feud with Governor Cosby. Alexander thought of the press as a political weapon and therefore developed his concepts of press freedom—which became important to the ideology of press freedom—for their usefulness in political battle.[27] Mary Ann Yodelis, who argued that the concept of freedom of the press in Boston approached libertarianism, concluded that "freedom may have developed" from "bitter partisanship" which existed among factions.[28] Gerald J. Baldasty, arguing that Levy exaggerated the "reception of common law [of seditious libel] from England into the new nation," concluded that a theory of press freedom, although it "may not have been well conceptualized or coherently stated...may have been emerging in the decade before the adoption of the First Amendment."[29] Carol Sue Humphrey's research on New England newspapers led her to conclude that editors in the 1780s freely criticized government, confident that they would not suffer punishment. "The tradition of a free American press developed, becoming the expected and accepted practice even though not actually existing in law,"[30] she wrote.

school, Teeter maintains that Levy "overvalues courts, law and theory at the expense of journalistic practice." Teeter, "From Revisionism to Orthodoxy," *Reviews in American History*, 13 (December, 1985): 324.

[24]Harold L. Nelson, ed., *Freedom of the Press from Hamilton to the Warren Court* (Indianapolis, 1966).

[25]Lawrence H. Leder, "The Role of Newspapers in Early America: 'In Defense of Their Own Liberty,'" *Huntington Library Quarterly*, 30 (November 1966): 1-16.

[26]John D. Stevens, "Congressional History of the 1798 Sedition Law," *Journalism Quarterly*, 43 (1966): 247-56.

[27]Cathy Covert, "'Passion is Ye Prevailing Motive': The Feud Behind the Zenger Case," *Journalism Quarterly*, 50 (1973): 3-10.

[28]Mary Ann Yodelis, "Courts, Counting House and Streets: Attempts at Press Control, 1763-1775," *Journalism History*, 1 (1974): 11-15.

[29]Gerald L. Baldasty, "Toward An Understanding of the First Amendment: Boston Newspapers, 1782-1791," *Journalism History*, 3 (1976): 24-30, 32.

[30]Carol Sue Humphrey, "'That Bulwark of Our Liberties': Massachusetts Printers and the Issue of a Free Press, 1783-1788," *Journalism History*, 14 (1987): 34-38. See also her "'This Popular Engine': An Institutional Study of New England News-

Perhaps the most ambitious confrontation with Levy by a journalism historian, however, has been conducted by Jeffery A. Smith, whose doctoral dissertation from the University of Wisconsin was published in 1988 as a book with the title *Printers and Press Freedom: The Ideology of Early American Journalism.* It explored the English radical whig and enlightenment arguments against oppression which the colonists imported to cope with their own similar difficulties. Various journalists in the eighteenth century employed these arguments in political and legal defenses against censorship and subsequent punishment for their publications. Smith animated the issues involved by following the publishing career of Benjamin Franklin and his respected and prosperous network of editors and printers throughout the colonial, revolutionary, and constitutional periods. "The study as a whole," Smith said, "offers evidence that colonists were publishing and justifying aggressive journalism for decades before the Revolution" and that "Americans had forged a general libertarian press ideology that was incompatible with the idea of seditious libel."[31]

Another recent school in historiography attempted to refute Levy's conclusions simply by restating the traditional libertarian interpretation of freedom of the press. One group of historians, strictly journalistic in outlook, concluded that the early period of journalism provided the basis for later trends in press freedom. The thinking of such historians as Vermont Royster[32] and James Russell Wiggins, both practicing journalists, epitomized this group. In "The Legacy of the Press in the American Revolution"[33] (1980), Wiggins represented the interpretation of this group. The present-day libertarian concept of freedom of the press, Wiggins wrote, is in large part the handiwork of the colonial and revolutionary journalists.

More critical scholarship, however, was provided by a number of historians who propounded the libertarian interpretation but documented their studies more thoroughly. A close scrutiny of the attitudes led them to the conclusion that the prevailing philosophy was libertarian. Edward G. Hudon, in *Freedom of Speech*

papers, 1775-1789," Unpublished Ph.D. dissertation, University of North Carolina, 1985.

[31]*Printers and Press Freedom...* (New York, 1988), 13. See also Smith's "Impartiality and Revolutionary Ideology: Editorial Policies of the *South Carolina Gazette*, 1732-1775," *Journal of Southern History*, 49 (November 1983): 511-26; "Public Opinion and the Press Clause," *Journalism History*, 14 (1987): 8-17; "A Reappraisal of Legislative Privilege and American Colonial Journalism," *Journalism Quarterly*, 61 (1984): 97-103, 141. Smith even has offered evidence that fosters the much-maligned "absolutist position that the framers intended that the press clause prohibit not only prior restraint but also all content-based controls available to the government." Smith, "Prior Restraint: Original Intentions and Modern Interpretations," *William and Mary Law Review*, 28 (Spring 1987): 470.

[32]Vermont C. Royster, *The American Press and the Revolutionary Tradition* (Washington, D.C., 1974).

[33]In Bernard Bailyn and John B. Hench, eds., *The Press and the American Revolution* (Worcester, Mass., 1980), 365-72.

and Press in America (1963), attempted to show that the U.S. Constitution and Bill of Rights arose from a"natural law environment" which provided an historical basis for today's libertarian belief in the need for freedom of expression in a complex society. Hudon's extensive study analyzed the British law of speech and press as it existed in England and colonial America and the "theories of law and sovereignty which permitted this English and Colonial law to follow the course that it did." The guarantees of the First Amendment were "intended as more than instruments of political expediency," for their "purpose was to protect the rights of the minority from the whims of the majority." The First Amendment, Hudon concluded, was intended to break away from the repressive concepts of British law and fulfill the Declaration of Independence statement that "all men are created equal, that they are endowed by their creator with certain inalienable rights."[34]

In another study of the background of the First Amendment, *The Bill of Rights: Its Origin and Meaning* (1965), Irving Brant concluded that the framers of the Bill of Rights were libertarians and intended to reject the restrictive eighteenth-century English common law of freedom of the press. Narrating a collection of historical incidents related to the Bill of Rights, Brant argued that the Alien and Sedition Acts—whose passage Levy considered evidence that suppressive concept of freedom prevailed during the early years of the new nation—were a "perversion of the Constitution" passed in a time of "super-patriotic jingoism." They were enforced only against political opponents of the Federalists and, he declared, with as little regard for justice as the passage of the laws had shown for constitutional rights.[35]

Other historians made similar arguments. Examining the antecedents of early American attitudes toward freedom of the press, Gary Huxford argued that American editors based their views on a libertarian background. In "The English Libertarian Tradition in the Colonial Newspaper" (1968), he traced the influence of the concepts of England's "Commonwealthmen" on American editors, who promoted the ideas of freedom, equality, and autonomy in the colonies. The editors "found in the natural rights arguments of the Old Whigs [such as John Trenchard, Thomas Gordon, and other libertarian writers] the most popular form by which to express their [political] arguments."[36] In "Freedom of the Press in Revolutionary America: The Evolution of Libertarianism, 1760-1820" (1980), Richard Buel, Jr., concluded that although there were many obstacles to freedom, early Americans viewed freedom as a good ideology. In practice, however, freedom was not unbounded because the dominant ideology held also that freedom should be used for the public good. Thus after the Revolution, Buel argued, even the Federalists' views on restricted freedom were not inconsistent with their belief that licentiousness would endanger the nation. Despite such limitations in philosophy, he maintained, colonial and revolutionary journalists "made tremendous stride toward formulating and implementing those libertarian ideals concerning freedom of the press that we embrace today."[37]

[34]*Freedom of Speech and Press in America* (Washington, D.C., 1963), ix, 168.
[35]*The Bill of Rights...* (Indianapolis, 1965), 247-48.
[36]*Journalism Quarterly*, 45 (1968): 677-86.
[37]In Bailyn and Hench, *Press and American Revolution*, 59-98.

The Supreme Court, like historians, has continued to promulgate the libertarian version of history. Just four years after the publication of Levy's book, the Court issued one of its most important decisions on the First Amendment, *New York Times v. Sullivan*, in which Justice William J. Brennan, Jr., speaking for the Court, wrote that the "central meaning" of the First Amendment was at least that seditious libel could not be tolerated.[38] Brennan's citation of Levy's book at that point in the court opinion perhaps constituted something of a partial adoption of Levy's continuing admonition that, despite the seemingly anti-libertarian history, it should not control modern interpretation of the First Amendment.

The libertarian view also has dominated the law schools and law journals since 1960. George Anastaplo in *The Constitutionalist: Note on the First Amendment* (1971) emphasized early and contemporary linguistic analyses of the First Amendment and other relevant sections of the Constitution within the context of the beginning and initial development of the republic and the part played by freedom of speech and press. Rejecting both Holmes' "clear and present danger test" as too limiting on freedom of expression and Levy's historical research as unappreciative of the republican culture that created the language of the First Amendment, Anastaplo advocated broader freedom of expression than the Supreme Court had allowed. Vincent Blasi in his 1977 article, "The Checking Value in First Amendment Theory," argued that the framers of the First Amendment intended that the press would act as one of the checks in the federal government, which consequently requires a distinctive, if not elevated, protection for the press under the Constitution.[39] Levy claimed "Blasi used lawyer's tactics in the manipulation of historical data: he was trying to prove a case, not find the truth,"[40] but Blasi's scholarship has been influential in communication law.

In 1984, William T. Mayton's law review article, "Seditious Libel and the Lost Guarantee of Freedom of Expression," proposed a "new" understanding of the scope of liberty of the press by insisting that the First Amendment's ratification process clearly broke from the English notions of seditious libel and constructive treason. Mayton argued that the intellectual reaction to the suppression of speech and press in England formed a novel influence on the framers of the First Amendment.[41] Similarly, Law Professor David A. Anderson focused not on the persistence in belief by the framers in seditious libel but rather on how far beyond Blackstone's definition of freedom of the press, which was Levy's maximum definition, the framers actually were willing to allow. "[M]ost of the

[38]376 U.S. 254, 273-76 (1964). Justice Hugo Black's fear that Levy's work would be used by conservatives to turn back the modern libertarian view of the role of the press in society should have been put to rest by Brennan's use of Levy's book. See Levy's preface for his own history of his book. Levy, *Emergence*, 273-76. Levy said in 1980 that the Su

[39]Vincent Blasi, "The Checking Value in First Amendment Theory," *American Bar Association Research Journal* (Summer 1977): 521-649. The traditional journalistic view toward the issue was captured by Walter Lippmann in his *Liberty and the News* (New York, 1920), in which he argued that First Amendment rights for newspapers were more important than First Amendment rights for individuals.

[40]Levy, *Emergence of a Free Press*, 259, n. 106.

[41]*Columbia Law Review*, 84 (January 1984): 91-142.

Framers," Anderson found, "perceived, however dimly, naively, or incompletely, that freedom of the press was inextricably related to the new republican form of government and would have to be protected if their vision of government by the people was to succeed."[42] Anderson, among other libertarian legists, seemed offended by the reception Levy gave their scholarship, accusing him of being "more quarrelsome than responsive."[43] The harshest attack on Levy as a historian, however, was by David Rabban, also a law professor, who, after reviewing almost all of the literature in the debate, accused Levy of anachronism, ahistoricism, distortion, and misconstruction.[44] Rabban, whose own research was simply ignored in Levy's revised book in 1985, especially emphasized Levy's inability or refusal to concede that only the refutation of seditious libel by prevailing political leaders could mean the achievement of the modern conception of freedom of the press.[45]

The Future of the Debate

While both sides on the issue voiced angry denunciations when former Attorney General Edwin Meese recently suggested that original intentions should be more controlling of modern constitutional law-making, neither liberal nor conservative jurists, scholars, or historians felt history should be disregarded. Possibly most nettlesome to Levy and other historians involved in the debate over the original meaning of freedom of the press has been the positions of those legal scholars, most prominently Thomas I. Emerson,[46] who contended that the scholarship has been interesting but should be generally unimportant in contemporary efforts to deal with the problems of freedom of expression. The Constitution, after all, represents not only what the U.S. Supreme Court says it represents and the current spirit of the country but also the enduring will of the sovereign people in their direction of the government.

The debate that Levy sparked has now burned for almost three decades with an intriguing irony: the area of most intense controversy in journalism historiography has been the one area in which the previous century and a half had witnessed such uniform consensus.

The reaction to Levy and the continuing debate point at least to two facts. The first is the quality of Levy's research. While he can be faulted for being selective in the historical material that he chose to emphasize in his studies, for his sometimes questionable interpretations of some of the material, and for his formula-

[42]David A. Anderson, "The Origins of the Press Clause," *UCLA Law Review*, 30 (1983): 455-540.

[43]David A. Anderson, "Levy vs. Levy," *Michigan Law Review*, 84 (1986): 777-86.

[44]David M. Rabban, "The Ahistorical Historian: Leonard Levy on Freedom of Expression in Early American History," *Stanford Law Review*, 37 (1985): 800, 806, 809, 823, 832.

[45]David M. Rabban, "The Emergence of Modern First Amendment Doctrine," *University of Chicago Law Review*, 50 (1983): 1205-69; "The First Amendment in the Forgotten Years," *Yale Law Journal*, 90 (1981): 514-95.

[46]Thomas I. Emerson, "Colonial Intentions and Current Realities of the First Amendment," *University of Pennsylvania Law Review*, 125 (1977): 737-60.

tion of operational definitions, the strength of his work is attested to by the endurance of his overall interpretation despite the numerous assaults historians have mounted against it from all quarters. Levy and the few historians who have published on his side are greatly outnumbered by opponents, but the opposition still has failed to triumph. They have succeeded at modifying the view Levy offered in 1960, but it is doubtful that they can return historical explanation to the pre-Levy libertarianism.

The second fact the debate has revealed is how intense the ideology and philosophy can be which motivate historians. The historiographical argument at times has shown characteristics of a cock fight rather than detached historical scholarship. Some of Levy's opponents reacted so strongly because his explanation of press freedom challenged not only their historical perspective but also their deeply held beliefs about contemporary society and politics, the news media, government, law, civil liberties, and even the Constitution itself. Thus, they mounted not only an attack on his scholarship but also at times on him as an individual. There was a paradox in that, for Levy himself is a libertarian who would have preferred to have found early American attitudes about press freedom to have been libertarian. Stung by the intensity of the attacks on him, he has moderated his original position as stated in *Legacy of Suppression* only slightly, unconvinced of the soundness of the opposing evidence. He has answered his critics in kind, remindful of the tone of language and argument which editors employed themselves during the originial debates over the Sedition Act. Levy has admitted in his latest preface that that his original motivation in conducting his research was to spite libertarian benefactors who spurned his first findings because they did not square with accepted views.

The outcome of the fight still is in doubt. One would hope that if cooler scholarly heads prevail, the debate finally will provide us an understanding of early freedom of the press based on hard evidence analyzed through measured, detached historical standards. Should the impassioned ideology that many historians have brought to the debate prevail, not only will our understanding of history be impaired, but also the standards and methods to be applied in the study of journalism history will be damaged.

Most likely, out of the debate will emerge a view of early American attitudes that takes a middle ground between libertarianism, both the traditional and new versions, and Levy's viewpoint. There also at some point should emerge a definition of "libertarian" which most historians will accept. The failure to agree on terms appears to be one of the essential reasons for a large portion of the arguments among historians. If two disputants, whether historians or nations, cannot concur on key meanings, it is unlikely they can reach an end to their argument, for in the debate over freedom of the press, both sides can find more than ample evidence to buttress their position. True libertarianism, it seems to us, means essentially that one believes not only in his own right to freedom of expression but in that of opponents as well.

Whatever the outcome, the debate will have made an invaluable contribution to historical study in mass communication. It already has added considerable amounts of new material to historical knowledge. In the anxiety of the debate,

historians have discovered evidence that might never have been brought to light from other, detached motivations. Because the issues have been so clearly drawn and because freedom of the press is a topic of such widespread interest, the debate also has helped make media historians especially aware of the importance of historiography and schools of interpretation. For that reason, one can almost hope that the debate continues awhile longer.

Vicky. *By Russell Davies and Liz Ottaway.* London: Secker & Warburg. 1987. Paper. $ 9.95.

Vicky by Russell Davies and Liz Ottaway might serve as a model biography of a contemporary cartoonist. Produced under the auspices of the Centre for the Study of Cartoons and Caricature at the University of Canterbury in Kent, this book documents the career of Victor Weisz (Vicky), who is described in the introduction as "...the best-loved and most fiercely hated political cartoonist of his time."

Vicky was born in 1913 in Berlin to Hungarian Jewish parents. His father's suicide left him responsible for family affairs at the age of fifteen, and he began working as a professional cartoonist to support them. Because of his Hungarian passport, Vicky was able to leave Germany shortly after the Reichstag fire, and in early October 1935 he arrived in London for a "visit" that eventually resulted in his becoming a British citizen in 1947.

Through his contacts in the Jewish immigrant community in London, Vicky worked as a freelance cartoonist. He was a careful student of British life and politics and found jobs with several magazines and newspapers. Gerald Barry, editor of the *News Chronicle*, became Vicky's friend and eventually increased Vicky's appearances on the paper's editorial pages until his work was featured there daily beginning in May 1941. He remained with the *News Chronicle* until the end of 1953 when changes in the editorial staff combined with changes in the British political climate to make Vicky's work unacceptable. He then joined the *Daily Mirror* and also drew weekly for the *New Statesman*. In 1958 Vicky moved to the *Evening Standard*, where Lord Beaverbrook is reported to have told him, "Readers have got to be annoyed."

Throughout his career, Vicky annoyed readers and politicians quite successfully. His cartooning was done in two styles: a rather stiff childlike manner, and a loose, dark version known as his Oxfam style (due to his life-long support of the Oxford Committee for Famine Relief). Vicky's best known caricature was "Supermac," his portrayal of Harold Macmillan as an elderly Superman. Vicky's very liberal political viewpoint was consistent throughout his career, and this book does a good job of summarizing the British political scene and his comments about it.

Vicky was both charming and difficult, and his personal life was unhappy. He suffered from chronic insomnia, married three times, and was extremely insecure about his work, fearing that he would not have an idea for the next day's cartoon. In February 1966 he followed his father's example and committed suicide.

Vicky's work is not as familiar to Americans as David Low's, and this book is a fine introduction to an important British cartoonist. Excellent notes, extensive illustrations with lengthy explanatory captions, plus an index and bibliography make *Vicky* most informative for readers interested in British journalism history.

Lucy Shelton Caswell
Ohio State University

The Press and America: An Interpretive History of the Mass Media. *By Michael Emery and Edwin Emery.* Englewood Cliffs, N.J.: Prentice-Hall, 1988. 786 pp. Cloth. $36.40.

A text as successful as The Press in America for more than three decades is a tough act to follow. Does the Sixth Edition deliver?

It will not disappoint previous admirers because its best features remain. Improvements in structure make it even more useful as an undergraduate text. The authors have streamlined the organization for easier reading and rearranged chapters for clarity. A better balance in chapter length results from the consolidation of some early chapters. The placement of the annotated bibliography and notes at the back provides easier access and avoids disturbing the narrative. Improvements in organization aside, the book remains a valuable and comprehensive reference of American media history.

The narrative has also been improved in spots and updated through the Iran-Contra episode. It is to the authors' credit that the insertion of new material in later chapters has increased the book's length by only a dozen pages. The updating often takes the form of a paragraph or two inserted in th;e previous narrative followed by some judicious trimming elsewhere to conserve space. The pruning seems to have been thoughtfully executed.

The latest version retains the essential ingredients and strengths of previous editions: the skillful interweaving of the story of the mass media with this nation's social, economic, political, and cultural history; a generous collection of apt illustrations; and the inclusion of interesting anecdotal material. The narrative is clear and easy to follow, thanks to the use of topic sentences throughout.

The maturing of the field of journalism history is reflected more than ever in this edition. The authors provide some welcome alternative interpretations based on revisionism. An example is David Sloan's work on the party press era. The authors include Sloan's arguments that the party press should not be judged by later standards and that papers of the period helped to stabilize the nation's political system.

No history is sufficiently comprehensive to satisfy everyone, and this is no exception. There remains the sketchy treatment of the press' pre-American roots. Undergraduates, typical users of this text, could benefit from a sense of historical context. Such a context might be provided by a more substantial treatment of the press' ancient and medieval heritage. A wish list for a seventh edition might include the development of the alphabet, the various stages in the development of writing, the extensive contributions of the Sumerians, the copying and chronicling by medieval monks, and the philosophical basis in the Enlightenment of our concepts of press freedom.

Those who recall earlier manifestations of this work will find a familiar thread here. The authors continue in their essentially upbeat and hopeful view of the

media, a view grounded in the notion of the inevitability of progress resulting from technological change and improvements in media practices. Within such a framework, conflicts, setbacks, malpractice, and greed are often seen as bumps in the road and not as catastrophes. In their closing paragraphs Emery and Emery conclude a litany of media-related woes with "Yet there is room for optimism."

Frank J. Krompak
University of Toledo

Henry R. Luce and the Rise of the American News Media. *By James L. Baughman.* Boston: Twayne Publishers. 1987. 264 pp. Index. Paper. $10.95.

This new volume in Twayne's Twentieth-Century American biographical series broadens the portrait painted by previous biographers such as John Kobler and W. A. Swanberg. While Kobler's *Luce: His Time, Life, and Fortune* may appear too patronizing, Swanberg's diatribe, *Luce and His Empire*, is blatantly hostile and distorted. Hence Baughman's extensively researched study is valuable for its more balanced point of view. The book received this year's Kappa Tau Alpha/Frank Luther Mott research award. Like the previous studies it traces the life and career of Henry Luce from his birth in Tengchow, China, in 1898 to his death in America in 1967. It summarizes his early education in private schools and his experiences at Yale University before founding *Time Magazine* in 1923. As Baughman recounts the addition of *Life, Fortune, Sports Illustrated*, and the "March of Time" radio and newsreel programs to Luce's media empire, he addresses the political and journalistic issues that Luce encountered.

One of these issues is the extent of Luce's influence. While Swanberg holds Luce responsible for America's mistaken policies in China and Vietnam and accuses him of "manipulating 50 million people weekly," Baughman insists that such appraisals are misleading. Luce's influence, he says, was really very limited. He was a publicist, not an initiator of policies. In spite of his support of Wendell Willkie and opposition to FDR, for example, Luce could not prevent Roosevelt's winning a third term.

In 1941 Luce wrote an editorial, "The American Century," that envisioned a postwar order dominated by the United States. The attitude that this statement implied eventually brought him under heavy criticism. But Baughman points out that Luce's ideas for American leadership resembled, after all, President Truman's NATO and Marshall Plan policies. From the perspective of the 1980s Luce's view also appears similar to the Pax Americana of John F. Kennedy. Luce bluntly but correctly stated that America, not Britain, would be ranked as the world's greatest power after World War II. In retrospect it appears that Luce was right in arguing that the United States could and should be a force for global stability and democratic capitalism.

Along with his nationalism Luce has been condemned for his anti-Communism. Here too, Baughman demonstrates that Luce's views were quite flexible. Although Luce never embraced the radical spirit of the 1930s, his *For-*

tune editor and *Time* publisher, Ralph Ingersoll, did. During the war, Luce's magazines and newsreels handled the Soviet Union generously. "In 1942 and 1943, when Russia alone of the major powers bore the brunt of Axis forces, Time Inc. publications described a valiant, suffering people.... Signs that the Russians were abandoning their support for revolution abroad while encouraging political liberties at home were emphasized." (138). Baughman also points out that Luce was one of the earliest and staunchest critics of McCarthyism, and that his role in the so-called "China Lobby" was very limited.

Contrary to his stereotyped image, Luce did not oppose America's Viet Nam policy in the early 1960s and neither did most other journalists. In the mid-60s *Life* showed an openness to campus dissent that contrasted sharply with the attitude of some others in the news media (191), and "*Life* more graphically than any other medium displayed images of the war's horrors" (192).

While Baughman addresses all of these issues, his primary purpose is to demonstrate that Luce's inventions of new types of information media -- the news magazine, the thoughtful business periodical, and the photoweekly -- are far more significant than his political prejudices. Baughman also examines the unique writing style that *Time* introduced through Luce's co-founder, Briton Hadden, and his managing editor, John Shaw Billings. It was characterized by "knowing" descriptions, as well as multiple adjectives before a subject and inverted sentences in the manner of Homer's *Iliad.* Other *Time* innovations Baughman discusses include an emphasis on the personalities of newsmakers along with political issues; "group journalism," or the bureaucratization of newswriting; a kind of omniscience in analyzing the news; and the ordering of events according to international and national significance rather than sensationalism.

Baughman further suggests that Luce ennobled journalism by regarding the profession as a "calling." As the son of an American missionary educator in China, Luce believed that he could and should be a powerful educative force. Like his father, Luce possessed an evangelical fervor, but he also represented a liberal or modernist theology.

Baughman's disagrees with earlier arguments on Luce's attitude toward China and his support of Chiang Kai-shek (156-157). He avoids getting entangled in the skein of images, attitudes, and policies toward China that stirred up so much controversy through the 1930s, '40s, and '50s and accepts the assumption that Luce was obsessed by a fanatical, foundationless fear of communism in China.

However, in arguing that Luce in general was a fair-minded and honorable journalist through the 1930s, but an intolerant tycoon in the postwar era, the author seems to be compromising his own views. His retreat to the traditional critical opinion of Luce does not mesh with his over-all refreshing and positive appraisal. Just as Luce searched until his death but could not find satisfactory answers in law, theology, or political science for his question of how to bring order to a complex society, so biographers must continue to search for the real Henry R. Luce.

Patricia Neils
U.S. International University

The Selling of Fidel Castro: The Media and the Cuban Revolution. *Edited by William E. Ratliff.* New Brunswick, N.J.: Transaction Books, 1987. 197 pp.

This book is actually a compilation of papers and responses presented at a conference on the Media and the Cuban Revolution (partially funded by the Cuban American National Foundation) in November of 1984 in Washington, D.C. The contributors take a harsh view of journalists who have written about Castro, but the work as a whole is flawed by the uniform view expressed by both presenters and respondents and by the questionable quality of some of the research.

In the book's preface, John R. Silber states that there is a "widely accepted myth that left-wing dictatorships are superior to right-wing, a myth clearly refuted by the historical evidence...." Repeatedly in the papers compiled here the goal of the authors seems to be to imply just the opposite--that right-wing dictatorships are less problematic than left-wing, especially in the area of press censorship. This is one of several disturbing messages interjected between the severe and often accurate criticism of the press.

The book's strongest chapters and those that make the best contribution to understanding are "Covering Cuba" and "Fidel Castro and the United States Press." "Covering Cuba" is a useful exploration of what that experience is really like from those who have done it. Reporters tell of the difficulties encountered and the tricks learned and even address the problem of balancing stories produced in a situation where information and access are so carefully controlled. Indeed, readers learn more about the nature of stories about Cuba from this look into the process of getting them than from the chapters that purport to analyze such stories. Furthermore, the author, Vivian W. Dudro, does not envelope the statements and anecdotes with the anti-communist, anti-Castro rhetoric that so clutters most of this book.

"Fidel Castro and the United States Press," by John P.Wallach, presents a strong critique of what he calls "a willing suspension of disbelief by the press" from the same distinct point of view that marks most of this book; but Wallach presents a theoretical basis for his conclusions, unlike the other authors. He provides a foundation for his argument in the form of a critique of American values: "To a nation looking to restore its own belief in the values that were part of its birth, here was a revolution that like our own was easy to identify with, it even had a leader who freely quoted our founding fathers....[W]e could accept Castro as the virtual George Washington of the underdeveloped world." Wallach's analysis is provocative and thoughtful and supported by some persuasive evidence.

The same can't be said of the rest of this book, which also suffers from a surprisingly large number of distracting typographical, grammatical, and factual errors. Most of the papers lack evidence of careful methodology or detached inquiry; rather, their tone and language show a decided bias. That might be forgiven if the respondents did not also represent the same perspective. Overall this book falls short of being a reliable, authoritative voice on its subject.

Pamela A. Brown
Rider College

Cities on a Hill. A Journey Through Contemporary American Cultures. *By Frances FitzGerald.* New York: Simon and Schuster, 1987. 414 pp. Paper. $8.95.

In her 1979 book *America Revised,* Frances FitzGerald examined the American history testbooks used in high schools. She described how economic imperatives and political and social pressures had rewritten the story of American history. But her book also illustrated a larger theme--namely, the process by which national systems of communication become symbols of contention for competing ideological groups.

In a sense FitzGerald's 1986 book, *Cities on a Hill,* now in a paperback edition appropriate for class use, updates that same theme. *Cities* collects four stories written for *The New Yorker* from 1981 to 1986. As in *America Revised* she is interested in the politics of cultural conflict, or in what Richard Hofstadter once called matters of "faith and morals, tone and style, freedom and coercion." Each of her four communities--San Francisco gays, Sun City retirees, Falwell fundamentalists, and New Age Rajneeshees--illustrates a common American response to the moral ambiguity created by modernity.

In the libidinous anarchy of the Castro district in 1970s San Francisco, FitzGerald confronts the consequences of the sexual revolution. In Falwell's Lynchburg she follows American fundamentalism's pilgrimage from religious separatism to political activism. In Florida's Sun City she discovers a community that posits age as its central organizing principle. And in the Rajneesh's Oregon commune she examines middle-class Americans' abandonment of professional occupations for the comforts of Hinduism, holistic medicine, and organic vegetables.

All the stories are written with the care and meticulous attention to detail typical of reporting in the *The New Yorker.* Her story on the Castro district, for example, starts as a straightforward history of the Castro's reputation as a homosexual Mecca. But FitzGerald soon adds layer after layer of complexity and nuance. Soon the story tells, as well, of the gentrification of San Francisco, the invention of a macho gay aesthetic, the transformation of city politics, the creation of an entire gay community infrastructure, and the confrontation occasioned by the murder of Harvey Milk. The story ends with a long look at the horror wrought by AIDS. With the bathhouses closed and the community decimated (researchers predicted one out of ten men in the Castro would die of AIDS), FitzGerald's subjects ponder the meaning of their decade-long experiment.

FitzGerald has conducted exhaustive interviews for all four stories. She also weaves together economic, political, and cultural analysis with great intelligence and skill. Here is not the glib voice of the newspaper feature page, yapping mindlessly about lifestyles. Rather she draws frequently on the vast historical and sociological literature on community. For example, when she discusses Sun Citians' attempt to build a community of the aged, she notes the relevance of

Philippe Aries' landmark history of the idea of childhood. She discusses parallels between the reforms and utopias of the 1840s and those of the 1960s. And before publication she had her manuscript read by well-respected sociologists such as Thomas Bender and Richard Sennett.

In all four experiments, FitzGerald detects a style of evangelical fervor that has long marked both secular and religious reform movements in the United States. Each group yearns to start afresh, claims the power to step outside of history, aspires to reshape the community in its own likeness. FitzGerald often notes, but I would emphasize even more, how fully each of these dreams of community is sustained by the mediaworlds of newspapers, movies, television, and magazines. Unlike today's Amish or most 19th century communitarians, FitzGerald's groups are not content to isolate themselves from the larger society, secure in the knowledge of their salvation, willing to offer their example to the occasional visitor. Rather, these communities are as much states of mind constituted and sustained by media narratives as they are physical locales. It is their desire not just to live differently but to package their difference for public consumption and proclaim it to the world that distinguishes these new cities on a hill.

John J. Pauly
University of Tulsa

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The Dubious Heritage of Media Ethics: Cause-and-Effect Criticism in the 1890s

By John P. Ferre*

Although moralists at the dawn of the twentieth century tended to agree that journalists lacked professionalism, that news reports were too often sensational, trivial, inaccurate, and even false, and that newspapers had succumbed to commercial control,[1] they diverged in their approach to these problems. Some critics viewed the misbehavior of journalists as wrong in and of itself. Frank Norris illustrated this pattern of reasoning in *Blix*, his novel about a San Francisco reporter who succumbed to sensationalism. "You are too good for a Sunday supplement," says the reporter's girlfriend.

> You could spend twenty years working as you are now, and at the end what would you be? Just an assistant editor of a Sunday supplement, and still in the same place; and worse, you'd come to be contented with that, and think you were only good for that and nothing better....But just so long as you stay here and are willing to do hack work, just so long you will be a hack writer.[2]

By the end of the novel the reporter has matured; so he leaves the San Francisco *Times* for a New York literary magazine, the *Quarterly*, where writing and moral principles can coexist.

Blix never suggests that the misbehavior of journalists is wrong because it leads to undesirable personal or social consequences. Rather, it assumes that the ignobility of reporters who plagiarize, eavesdrop,

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[1] George H. Phillips, "An Analysis of 835 Articles in the Leading American Periodicals for the Period 1890-1914 to Determine what was said about American Daily Newspapers" (Diss., Iowa State Univ., 1962), 356. Not surprisingly, Phillips's content analysis reveals that newspaper persons were most favorable to the press, while religious leaders were most critical of the press (330).

[2] Frank Norris, *Blix* (New York, 1899), 201-202.

and gossip is wrong inherently.

Boston law partners Samuel Warren and Louis Brandeis discussed invasion of privacy similarly in the *Harvard Law Review*. Although they did say that journalism that relied upon invasion of privacy caused "mental pain and distress" and usurped "the place of interest in brains capable of other things," they did not argue against invasion of privacy because of "the particular nature of the injuries resulting." Instead, they said that invasion of privacy was wrong because it treated the "inviolate personality" with contempt.[3] Thus Warren and Brandeis explicitly rejected cause-and-effect reasoning, thinking instead in terms of the moral properties of human life.

Press criticism that scrutinized the character rather than the consequences of behavior was, however, the exception and not the rule. Most moral evaluations of the press in the 1890s followed cause-and-effect reasoning. Although systematic ethical analyses of news reporting did not emerge until the 1920s,[4] the scores of moral critiques in the nascent stage of journalism ethics during the period of the yellow press do form a coherent utilitarianism. Moralists who examined journalism in the 1890s identified greed and prurience as the ultimate sources of the sensationalism and dishonesty of the press, characteristics which they believed undermined morality and caused crime. They believed that economic pressure and education could eliminate the sources of the negative effects of the media and thus provide the greatest good for the greatest number of Americans.

Problems of the Press

Moralists at the turn of the century criticized journalism for pandering to base human instincts -- and in graphic detail. One Baptist minister called sensational "gutter journalism" a "device to fill the private purse through public ruin."[5] Critics denounced detailed personal scandals and gruesome accounts of prizefights, murders, arsons, and suicides which filled the columns of newspapers that pandered to mass readership. A minister from Atlanta complained about the plethora of "back-alley narrations":

> The pages of a newspaper are like the rooms of a house. If I have a dead rat in one room of my house, a dead cat in another, a dead dog in another, a dead snake in another, a dead cow in my dooryard, and a dead horse in my lot, I will either move my dead

[3]Samuel D. Warren and Louis D. Brandeis, "The Right to Privacy," *Harvard Law Review*, 4 (December 1890), 205.

[4]Clifford G. Christians, "Fifty Years of Scholarship in Media Ethics," *Journal of Communication*, 27 (Autumn 1977), 19-29.

[5]"New Joumalism and Vice," New York *Times*, 3 March 1897, 2.

> animals or my family. There is a dead thing of some sort on nearly every page of most of the newspapers I pick up these days. Either the dead things must be moved out of the newspaper, or the newspaper thrown out of the home.[6]

A rabbi in Philadelphia agreed: "Judging from the daily amount of social sewage that is allowed to stream in open sight, through the newspaper, one is often tempted to believe that newspaper proprietors must think that people commit crime solely for the purpose of filling the columns of the press."[7]

Editors defended their use of unpleasant details, not as titillation or entertainment, but rather as essentials of the trade. In-depth, truthful reporting required reliance upon documents, observation, and interviews. The graphic nature of these sources, and not of the investigators, was to blame for what critics called sensationalism, according to editors.[8]

Charges of sensationalism, of course, were often expressions of social snobbishness, as the historian Michael Schudson points out in his discussion of the "two journalisms in the 1890s."[9] Newspapers were supposed to be agencies of education, raising the standards of the masses to the level of gentility rather than celebrating the presumed depravity of the working classes. According to one critic in the 1890s, news reporting "flatters the prejudices and tastes of the mass of readers, who, in our country, we must always remember, are the socially half-cultivated."[10] Critics who feared a tyranny of blue-collar values were apparently much more fearful of working-class values and tastes than of the working class as such.

Besides sensationalism, the greatest problem that critics addressed was dishonesty. Commenting on false reports that a Hearst correspondent during the Spanish-American War turned over Spanish prisoners to Cubans who decapitated them, the New York *Times* said that "the question whether a newspaper should print lies cannot be regarded in yellow circles as serious."[11] E. L. Godkin, founder of *The Nation*, described an illustration in the Philadelphia *Public Ledger* of the *Jean Bart*, which depicted the mastless French battleship under full sail. He then quoted three contradictory accounts of the same theater per-

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[6]"The Times' his Favorite," New York *Times*, 21 March 1897, 4.

[7]"Mission of Newspapers," New York *Times*, 7 February 1897, 24.

[8]Warren Francke, "Sensationalism and the Development of 19th-Century Reporting: The Broom Sweeps Sensory Details," *Journalism History*, 12 (1985), 80-85.

[9]Michael Schudson, *Discovering the News: A Social History of American Newspapers* (New York, 1978), 88-120.

[10]Aline Gorren, "The Ethics of Modern Journalism," *Scribner's Magazine*, April 1896, 511.

[11]"Questions of Yellow Ethics," New York *Times*, 27 July 1898, 6.

formance:

> "The lower floor was nearly filled, and three or four rows of chairs were occupied in the first balcony."
>
> "There was about a third of a houseful of finely dressed ladies and gentlemen present."
>
> "A very large audience, one that filled nearly every seat in the orchestra and balcony as well, was in attendance."[12]

Greater accuracy, said Godkin, was the solution to the low status and credibility of journalism.

Examples of dishonesty proliferated. In an article entitled "Killed by the Trusts," the Boston *Herald* showed how big business had laid to waste ten industries in Kearney, Nebraska. However, from the cotton mill, which was still operating, to a bicycle factory, which had moved to Denver, the report was false. Ascribed to "our special correspondent," the article apparently was concocted to support the *Herald*'s strong anti-trust stance.[13]

Critics decried such concoctions and inaccuracies, but they were more upset by "faking," a term they applied routinely to journalism, particularly to newspaper interviews, during the 1890s. Adapted from a criminals' term meaning "tampering with in order to deceive," faking came to mean embellishing a news story by adding fictional details.[14] Faking was a nineteenth-century precursor to the New Journalism of the 1960s; and, like its progeny, observers criticized it roundly.

"The anticipation of events is becoming one of the fine arts of journalism," one critic wrote, telling of a newspaper that elaborately described a wedding the day *before* it occurred.[15] The details of the wedding were correct, but the story appeared too early by mistake. The writer proceeded to defend "legitimate" fakes, stories like the 12,000-word wire service account of President Benjamin Harrison's inauguration of 1889, which were typecast in advance so that the coverage would be timely, but that were subject to last-minute corrections to ensure accuracy. Unfortunately, many fakes were innacurate because of unanticipated events. One weekly paper printed a story of President Grant's New Year's Day reception at the White House, even though it was cancelled at the last minute because the Secretary of War died unexpectedly.[16]

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[12]E. L. Godkin, " 'Cuts' and Truth," *The Nation*, 4 May 1893, 325.

[13]"Integrity of Newspaper Discussion," *Gunton's Magazine*, December 1900, 509-21.

[14]*Oxford English Dictionary*, Vol. 4 (Oxford, 1933), 34.

[15]George C. Bain, "Newspaper 'Faking,' " *Lippincott's Magazine*, August 1894, 274.

[16]Bain, 274-78.

In his 1894 journalism textbook, Edwin Shuman defended faking on the grounds that it helped newspapers meet deadlines and enlivened stories. Strict facticity was either impossible or dull and, therefore, unnecessary although news stories should be substantially true:

> Truth in essentials, imagination in non-essentials, is considered a legitimate rule of action in every office. The paramount object is to make an interesting story. If the number of copies sold is any criterion, the people prefer this sort of journalism to one that is rigidly accurate.[17]

Shuman, of course, never distinguished essential facts from the types of details that journalists should concoct. Nor did he address the larger issue of long-term credibility of the press.

Other writers decried any willful inaccuracy, whatever the excuse. A lengthy article in *The Arena* cited numerous examples of newspaper fakes: a report of a doctor who thwarted a suicide in his office concocted to satisfy an editor and to publicize the physician; purposive libels produced for pay-offs, the reporter sharing the settlement with the source; faked interviews written to satisfy zealous editors; false news of foreign disasters published for effect. The expose blamed wire service reporters mostly -- the New York *Times* called the Western Associated Press "the father of fake dispatches"[18] -- although businesspersons and professionals who stood to gain from publicity complied amply.[19]

A notice in the New York *Times* headed "Look Out for this Fellow" revealed an interesting twist to the faking controversy. A man posing as a *Times* reporter had approached an eyeglass manufacturer for an interview. A few days later, he returned with the flattering copy, saying that the *Times* would publish it for $10. The manufacturer bartered the price down to $8, and the swindler left with the money.[20] The following day, another imposter received a $15 down payment from two suppliers of steamboat provisions for promises of another story.[21] Apparently, paying for a story, whether true or false, did not appear to be unreasonable. The public seemed to believe that newspapers were more in business than in the business of truthtelling.

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[17]Edwin L. Shuman, *Steps into Journalism: Helps and Hints for Young Writers* (Evanston, Ill., 1894), 123.

[18]"First is Reliable, Other is Not, " New York *Times*, 3 October 1895, 14.

[19]J. B. Montgomery-M'Govern, "An Important Phase of Gutter Journalism: Faking," *The Arena*, February 1898, 240-53.

[20]"Look Out for this Fellow," New York *Times*, 17 July 1890, 3.

[21]"Another Bogus Canvasser," New York *Times*, 18 July 1890, 8.

Perceived Causes

Observers pinned the blame for the sensationalism and the untruths common to the press on two related sources. Money, of course, was one. Whether true or false, scandal sold. The Reverend Dr. Charles H. Eaton, a New York Universalist minister, said, "The mercantile spirit of the day is to blame for what is actually pernicious in our newspapers."[22] A variant on this theme was the idea that the problem was keen competition, not profit as such. Although competition did lead to lower prices and more print, it also fostered sensationalism.[23] Closely related to profit-mongering was the prurience of the public. After all, it was the public that was making yellow journalism profitable. "It is because the people love sensationalism that so much of it is furnished," said one critic. "The demand regulates the supply."[24] Another minister described the hypocrisy in the public's reading of yellow newspapers:

> [T]he masses of people like to buy what [the papers] have to sell -- the filth and mendacity of the world. On the morning after the prizefight, the crowd of west enders on the elevated train and some of the women, too, had the morning papers with the mapped-out bodies of the brutes who fought at Carson. A journalist said to me with a sneer: "These are your respectable men! They won't have these papers in their houses; *THE TIMES*, The Sun, and The Tribune go there -- but they buy these to read themselves!"[25]

This statement illustrates that yellow journalism was a problem of more than just the poor and uncultivated, or as one writer said, "the lower order of mankind."[26] The middle classes indulged themselves as well. Critics thus thought of press reform as more than social work; it was an act of restoration of the deteriorating culture.

Inferred Effects

Reading press criticism at the turn of the century is much like reading early popular notions of the effects of television: there seemed to be little that the medium could not do. One minister said that yellow journalism bred crime among the young because newspapers detailed the crimes of juvenile delinquents at the same time that juvenile delin-

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[22]"Two Sorts of Journalism," New York *Times*, 8 February 1897, 2.

[23]T. F. Wright, "The Secular Press," *New Church Review*, 5 (April 1898), 270-73.

[24]Wright, 272.

[25]"Ethics of Newspapers," New York *Times*, 25 March 1897, 2.

[26]"Pernicious 'Yellow' Papers," New York *Times*, 28 March 1898, 5.

quency was increasing.[27] Another minister asked his congregation, "Do you suppose that your sons and daughters can grow up pure-minded and clean if their minds are fed on such filth in the formative period of their existence?"[28]

An article entitled "The Psychology of Crime" thoroughly explained this point. The social environment was largely to blame for criminal behavior, so said the author, and the most pernicious element of the environment, "the malaria" that the community was "constantly inhaling,"[29] was the mass press, with its sensational newspapers and its decadent fiction. Regular reading of unwholesome material, especially by young people who were impressionable, could lead to "murders, suicides, sexual immoralities, thefts, and numberless other disorders,"[30] particularly among the mentally unstable. Even the absolutely sane were affected; details of sensualities and crimes impressed their minds, corrupting their wholesome thinking and, inevitably, their character. The article concluded: "The scientific way to destroy evil is not to hold it up and analyze it in order to make it hateful, but rather to put it out of the consciousness."[31]

Similarly, another writer anticipated current theories of media effects by claiming that the daily contemplation of crime had three consequences. Foreshadowing desensitization theory, the author wrote that reading crime reports regularly deadened the sense of revulsion to criminal activity that virtuous people have. In a social-learning vein, the writer also argued that the press provided the dull-witted with ideas that they could not have conceived themselves. Finally, the author presented an early version of instigation theory by arguing that the press nudges into action those with criminal tendencies.[32]

Anthony Comstock, the notorious censor, offered statistical evidence of the criminal influence of the press. "Publication of the details of crime are [sic] sufficient influence upon many unbalanced minds to induce them to imitate it," he said. In just one month, scores of teenagers were arrested for numerous crimes that Comstock claimed newspapers induced:

> 7 for arson, 49 for burglary, 2 for counterfeiting, 9 for felonious assault, 1 for forgery, 5 for grand larceny, 16 for highway robbery, 1 for housebreaking, 9 for attempted murder, 12 for murder, 2 for

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[27]"New Journalism Attacked," New York *Times*, 8 March 1897, 3.

[28]" 'New Journalism' Rebuked," New York *Times*, 22 March 1897, 3.

[29]Henry Wood, "The Psychology of Crime," *The Arena*, October 1893, 530.

[30]Wood, 530.

[31]Wood, 534-35.

[32]R. Ogden, "The Popularization of Evil," *The Nation*, 4 January 1894, 6-7.

perjury, 28 for petit larceny, 8 for attempting to commit suicide, and 7 for drunkenness.[33]

Other writers claimed that the press lowered moral standards by deciding what events and persons to cover and how to slant the coverage.[34] Godkin argued that coverage of prizefights legitimated them: "The silence of the press about them would do more in one year to suppress these contests than the Sheriff and police can do in ten."[35] The belief that the press caused immoralities was bolstered by suicides that followed the publication of "Is Suicide a Sin?" by the famous agnostic Robert G. Ingersoll in the New York *World*. Ingersoll's essay, which attacked state laws that punished would-be suicides, included several passages which, taken out of context, seemed to rationalize suicide. "When life is of no value to him, when he can be of no real assistance to others, why should a man continue?" he asked.[36] He added,

> So the poor girl, betrayed and deserted, the door of home closed against her, the faces of friends averted, no hand that will help, no eye that will soften with pity, the future an abyss filled with monstrous shapes of dread and fear, her mind racked by fragments of thoughts like clouds broken by storm, pursued, surrounded by serpents of remorse, flying from horrors too great to bear, rushes with joy through the welcome door of death.[37]

These and other examples of justified suicide in Ingersoll's essay fueled public outrage when some readers apparently took him at his word.

The most celebrated of those who apparently took Ingersoll's advice were Julius Marcus and Juliette Fournier. Marcus, a single, 23-year-old insurance agent from Utica, began an affair with Fournier, a 17-year-old housewife from Brooklyn, after he sold a policy to her. They met secretly for three months or so, during which time Marcus unsuccessfully tried to persuade Fournier to leave her 37-year-old husband. One August morning, they left her Brooklyn apartment for Central Park, where Marcus shot her in the chest and then shot himself in the temple. Besides several suicide letters, police found Ingersoll's column on suicide in Marcus's pocket.[38]

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[33]"Foes to New Journalism," New York *Times*, 30 March 1897, 12.

[34]John Henderson Garnsey, "The Demand for Sensational Journals," *The Arena*, November 1897, 681-86.

[35]E. L. Godkin, "A Point in Journalism," *The Nation*, 23 March 1893, 210.

[36]Robert G. Ingersoll, "Is Suicide a Sin?" in *The Works of Robert G. Ingersoll*. Vol. 7 (New York, 1912), 376; "Ingersoll says he Wrote it," New York *Times*, 1 September 1894, 6.

[37]Ingersoll, 377.

[38]"Died Happy in Their Love," New York *Times*, 22 August 1894, 8; "No Rabbi at his Funeral," New York

Three days after the Marcus-Fournier debacle, Emma Gould, a Brooklyn boarding-house keeper, poisoned herself. The coroner cited Ingersoll's essay in the New York *World* as the cause of death, saying that she had not considered suicide until she read it.[39]

The New York *Times* printed a flurry of letters to the editor after the Marcus-Fournier and Gould suicides. One reader decried Satanic journalism, calling the press-induced suicides a "baptism in blood."[40] Later he referred to Ingersoll's essay as "the great letter written to those in despair and urging them to rush with courage and without fear to the bar of God because Col. Ingersoll assures them there is none."[41] In still another letter to the editor, this same writer told of a retired psychologist who had returned from England, where he had recovered from his own mental illness. Journalists "sought out the old man, helpless in his solitude, pilloried him in the columns of the devil as the grotesque creature who had gone mad of curing maniacs -- and Dr. Tilden Brown, with a broken heart, hanged himself."[42]

Another reader summarized Ingersoll's essay as "wicked preachings to. . . ill-balanced and misguided readers."[43] (The *Times* printed only one letter defending Ingersoll's right to express his opinions, saying, "If men wish to commit suicide they are glad of opportunity to shift the responsibility upon somebody or something other than themselves. To charge the suicide mania upon Ingersoll's expressed belief is weakness."[44]) If these letters were at all representative, the public saw "Is Suicide a Sin?" as a direct cause of morbidity and suicide and opposed its publication in the New York *World*. A report by the New York Minister's Association put the point bluntly:

> Detailed accounts of suicides are not only obnoxious to all but the morbid, but are among the potent causes of the alarming increase of self-murder, especially when communications extenuating and even advocating it are sought and exploited as a means of increasing circulation.[45]

Suggested Solutions

If the immoralities and crimes incited by the press resulted from excesses in the profit motive and from the public's prurience, then the

Times, 23 August 1894, 9; "Burial of Mrs. Juliette Foumier," New York *Times*, 24 August 1894, 9.

[39]"Says Ingersoll is Wronged," New York *Times*, 28 August 1894, 1; "To Advise Suicide a Crime," New York *Times*, 29 August 1894, 8.

[40]Raymond De L'Epee, "Its Triumph is in Death," New York *Times*, 26 August 1894, 17.

[41]Raymond De L'Epee, "Satan, Ingersoll, and Zola," New York *Times*, 10 September 1894, 9.

[42]Raymond De L'Epee, "The Spawn of Satan's Brain," New York *Times*, 3 September 1894, 9.

[43]"Satanic Journalism," New York *Times*, 12 September 1894, 20.

[44]"Ingersoll and Suicide Mania," New York *Times*, 16 September 1894, 5.

[45]"The Duty of the Press," New York *Times* , 26 January 1897, 12.

correctives were clear: Curtail the profits that newspapers could make from sensationalism and dampen the public's appetite for titillation.

One common proposal to diminish the profit motive was to establish a press on a different basis -- endowments. In an essay entitled "Limitations of Truth-telling," author Edward Adams described seemingly insurmountable pressures on the press to perform in less than ideal ways. One pressure was political affiliation. Newspapers associated with a political party refused to criticize compromises that a party made so that it could reach consensus on a platform. Another pressure was audience predispositions. Contradicting the prejudices of the readers would result in the loss of sales and perhaps even bankruptcy. The only way to escape the tyranny of vested interests was to establish endowed newspapers. Such papers could afford to write solely from conscience.[46]

Although the plea was common, as were the endowments of universities, libraries, and museums at that time, nobody endowed a newspaper. Andrew Carnegie said he would be willing to endow a newspaper if nine other volunteers helped him, but none was forthcoming. [47] An endowed newspaper could have avoided sensationalism and prurience, but it would not prevent the sensationalism of other newspapers. Another way had to be found to temper the profit motive.

Instead of creating new newspapers, others proposed taking control of existing yellow newspapers. This buy-out strategy would be slow but effective: "Let men of mind and means be secured to take a controlling interest in some one of the morning papers, and so let it be lifted gradually and become an exponent of worthy principles in journalism."[48] Such a paper would then be copied by others, so that it would leaven the journalism of the entire city. The argument is curious, given that not all newspapers were sensational -- and there was no feeling that good ones were leading the yellow ones out of their debauchery.

Public pressure was another suggestion. A letter to the editor of the New York *Times* offered this proposal:

> We (thousands of us) would gladly wear for a period of thirty days some distinguishing badge, ribbon or button as a silent protest against new journalism, which would so shame the readers of yellow newspapers . . . that they would as lief fondle a mad dog as they would be seen reading these papers.[49]

The protest never materialized. In 1896 reformers tried to boycott the

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[46]Edward F. Adams, "Limitations of Truth-Telling," *The Arena*, November-December 1898, 604-13.

[47]James M. Lee, *History of American Journalism*, New Ed. (Boston, 1923), 410.

[48]Wright, 272.

[49]"Yellow Journalism Nuisances," New York *Times*, 23 March 1898, 6.

New York *Journal* and *World* because of their sex and crime stories, but the movement fizzled after the *Journal* illustrated its Populism by publicizing the court injunction it secured which prevented Brooklyn from giving away its valuable gas franchise.[50] More often, critics proposed that the public exert pressure on advertisers or newspaper circulation. The following is typical:

> If every reputable citizen would refuse to purchase sheets that thrive on the assassination of character and the degradation of taste, they would soon cease to be profitable to their owners, and their business of debauching public morals and making criminals would come to an end.[51]

That, of course, was exactly the problem. Yellow journalism flourished because people wanted to read it. Calls to boycott yellow newspapers were as successful as calls to refrain from buying Sunday newspapers, which was common practice even among ministers.[52] Said one contemporary, "The newspaper is just what the public wants it to be."[53]

The public did finally reject Hearst's *Journal* in 1901 after President McKinley was assassinated. Readers recalled an anti-McKinley editorial of five months before which said, "If bad institutions and bad men can be got rid of only by killing, then the killing must be done."[54] Apparently what a newspaper advocated offended the audience of yellow journalism more than what a newspaper reported.

Other writers proposed another form of public pressure: advertising only in respectable publications. An address entitled "The Signs of Promise in the Crusade against Yellow Journalism" suggested that the combination of strong public criticism, alternative papers that were moral and classier, and libraries across the nation that refused to subscribe to sensational newspapers was almost enough to do away with the yellow press. All that was left in the battle against yellow journalism was for moral businesspersons to end their patronage of offensive newspapers.[55] In Chicago, a newspaper without advertising, *The Day Book*, began publication in 1911, but it folded after five years.[56]

There was another strategy of reform besides economic pressure. It was education, a perennial solution to social problems, including prob-

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[50]Oliver Carlson, *Brisbane: A Candid Biography* (New York, 1937), 116; Frank Luther Mott, *American Journalism: A History of Newspapers in the United States Through 250 Years, 1690-1940* (New York, 1941), 522.

[51]"Sensational Journalism," New York *Times*, 14 December 1890, 4.

[52]"The Duty of the Press."

[53]"Ethics of Newspapers."

[54]Mott, 541.

[55]"Against Yellow Journalism," New York *Times*, 16 June 1897, 3.

[56]Quoted in Lee, 408-409.

lems in journalism. *The Journalist* linked ethics to education:

> It was not very many years ago that Horace Greeley made a remark to the effect that he would rather have a wild bull in his office than a college graduate. To-day college bred men are the rule. The result is better writing, broader thinking and a higher standard of journalistic ethics.[57]

Many newspaper critics thought journalism education was useless. William Cowper Brann, for instance, compared journalism schools with "professorships for instruction in the act of making chile-con-carne or bad smells....Anyone can learn it without a preceptor -- it's as easy as lying."[58] However, university training in journalism gained a foothold during the late nineteenth century, when journalism courses were offered through English and Rhetoric Departments. The proposed list of courses from the Pulitzer School of Journalism included one on the ethics of journalism, a subject that Pulitzer addressed specifically in his will concerning the Columbia endowment: "I desire to assist in attracting to this profession young men of character and ability, also to help those already engaged in the profession to acquire the highest moral and intellectual training."[59]

By 1915, journalism ethics courses were being taught at Indiana, Kansas, Kansas State, Missouri, Montana, Oklahoma, Oregon, and Washington. Professors commonly used Hamilton Holt's *Commercialism and Journalism* (1909) and the chapter on ethics from Willard Bleyer's *Newspaper Writing and Editing* (1913). Other universities incorporated ethics in their courses on journalism history and law.[60]

Other newspaper critics suggested public education instead of professional education. Assuming that much of the criticism of the press arose from ignorance of how newspapers operated, this perspective suggested that the public learn about newspapers through essays, lectures, and even college courses.[61] Based more on public relations than on ethics, however, this idea did not circulate broadly. Most people who were upset with the press wanted the press, not the public, to change.

But criticism did not change the press. Indeed, the logic of the criticism that moralists levied against the press worked to inhibit the changes that they called for. Because utilitarian criticism of the press depended upon debatable effects of the press, it required the isolation

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[57]"Our Seventeenth 'Special,'" *The Journalist*,, 15 December 1900, 276.

[58]Quoted in Donna Dickerson, "William Cowper Brann: Nineteenth Century Press Critic," *Journalism History*, 5(1978),43.

[59]Quoted in De Forest O'Dell, *The History of Journalism Education in the United States* (New York, 1935), 107.

[60]Jesse H. Bond, "The Teaching of Professional Ethics in the Schools of Law, Medicine, Journalism and Commerce," Diss., Univ. of Wisconsin, 1915.

[61]Channing M. Huntington, "Ethics of Journalism," *Social Economist*," 5 (September 1893), 163-70.

of a mass medium as the sole cause of social problems. However useful for the practice of patience, waiting for unassailable proof of media effects neutralized moral criticism, leaving policy choices to news businesses and out of the hands of the public. Had moralists argued more in terms of the inherent moral characteristics of behavior and policy, the perspective of Norris and Warren and Brandeis, their criticism would have been more potent.

Franklin Roosevelt, His Administration, and the Communications Act of 1934

by Robert W. McChesney

The period between the passage of the Radio Act of 1927 and the Communications Act of 1934 was a critical one in broadcast history. It was only *after* 1927 that the shape of the private and commercial broadcasting system that subsequently dominated American radio (and television) emerged in full-force. This development generated the rapid creation of a diverse group of persons and organizations that opposed the private and commercial domination of the airwaves and sought to have Congress address the situation through the passage of reform legislation. Unlike the period preceding 1927,this highly charged context provided the backdrop in which the Communications Act of 1934 was drafted and passed.

In the debate over broadcast policy, President Franklin D. Roosevelt and his administration played a pivotal role. Roosevelt was not *the* dominant figure in the formulation of radio policy in 1933 and 1934. Indeed, several other public figures, including Senator Clarence C. Dill, Democrat of Washington, took a far more active role in radio affairs and deservedly play a larger role in broadcasting history than Roosevelt. Nevertheless, Roosevelt did play a central role in determining the shape of the legislation that emerged, and, furthermore, his decision to ignore the concerns of the reformers and maintain the private commercial status quo was decisive. Roosevelt alone had whatever opportunity may have existed to arrest the private and commercial domination of the American airwaves. He elected not to exercise that prerogative, and the private structure and control of the American broadcasting system has been beyond fundamental public political

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debate ever since.

The preponderence of scholarship in broadcast history has concentrated upon the period before 1927 and the Radio Act of 1927 as the decisive era and legislation for the future development of American radio and television. The period from 1927 to 1934 and the Communications Act of 1934, on the other hand, have been generally overlooked despite the fact that the 1934 act provided the permanent basis for the regulation and structure of American broadcasting. Since the 1934 act essentially re-enacted the Radio Act of 1927, its construction and passage have been seemingly deemed as little more than a footnote to the "real debate" over American broadcast policy which transpired in the 1920's. Futhermore, most broadcast history scholarship has regarded the Radio Act of 1927 to be, as one scholar put it, "...a progressive victory...passed in the best interest of the citizenry."[1] Insofar as the Communications Act of 1934 re-enacted the 1927 Radio Act, when scholars have assessed it, they have generally discussed it in the same lofty and flattering terms.[2]

Given these dominant themes in broadcast history scholarship, it is not surprising that historians generally have overlooked the role of President Franklin D. Roosevelt and that of his administration. If one assumes that the Radio Act of 1927 was the really significant piece of legislation, then Roosevelt clearly played no important role. Furthermore, even if one concentrates on the history of the Communications Act of 1934, Roosevelt tends to be ignored, as he usually avoided public pronouncements on the matter and conducted his affairs in the area of broadcast regulation and reform through a number of presidential aides and congressmen. He remained behind the scenes and avoided anything that smacked of controversy. On the surface, Roosevelt appears barely to have considered the issue of broadcast regulation and legislation.

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[1]Donald G. Godfrey, "Senator Dill and the 1927 Radio Act," *Journal of Broadcasting* 23 (1978):485. Until rather recently this has been the dominant school of thought in broadcast history scholarship. Thus Sydney Head would observe that the Radio Act of 1927 revealed a "remarkable soundness" because it had "withstood the test of time and attacks from every imaginable source." (Sydney W. Head, *Broadcasting in America* [Boston: 1956], 134.)

More recent scholarship has discovered that much of the so-called greatness of the 1927 Act was based less on hard research than on the belief that the status quo of American broadcasting was so outstanding that any legislation which had authorized it could only be exemplary as well. This scholarship has cut through the rhetoric of the commercial broadcasting industry and taken a far more critical stance toward both the Radio Act of 1927 and the Communications Act of 1934. For some excellent examples see: Philip T. Rosen, *The Modern Stentors; Radio Broadcasters and the Federal Government 1920-1934* (Westport, Conn., 1980); George H. Gibson, *Public Broadcasting; The Role of the Federal Government, 1919-1976* (New York, 1977); and Erik Barnouw, *A Tower in Babel* (New York, 1966) and *The Golden Web* (New York, 1968).

[2]Thus Walter B. Emery notes regarding the Communications Act of 1934: "The national policy which the Act embodies was conceived in terms of the democratic concepts and values. . . ." He terms it the "Magna Charta for broadcasting" which accentuated unparalleled freedom in the "good society." (Walter B. Emery, "Broadcasting Rights and Responsibilities In Democratic Society, *"The Centennial Review* 8(1964) :312.)

Key Developments in American Radio, 1927-1933

While considerable debate transpired over how best to organize and regulate American broadcasting prior to the passage of the Radio Act of 1927, little of it dealt with the implications of a fully private commercial system dominated by two enormous national networks. In the mid 1920's there were some 200 licensed non-profit radio stations, of which approximately one half were affiliated with colleges or universities.[3] Virtually all discussion prior to 1927 anticipated a continued major presence for non-profit broadcasting. Secretary of Commerce Herbert Hoover was adamant about the need to protect and preserve independent educational stations. The role of commercial advertising as the sole means of support for the industry also was far from sacrosanct prior to 1927. Hoover, for example, was extremely critical of the excesses and implications of commercial advertising at both the third and the fourth National Radio Conferences.

If the public debate and the discussion among the concerned parties tended to concentrate on issues that seem tangential to the dominant trend toward the private commercial domination of the airwaves, the congressional debate over the Radio Act of 1927 was even less significant. Most congressmen had not the slightest understanding of the technology or the meaning of the legislation. The legislation was rushed through after a Federal appeals court, in late 1926, had ruled that the selective issuance of broadcast licenses was unconstitutional. In just a few months some 200 new broadcasters entered the industry, and the airwaves became a mass of chaos.[4] In addition, the committee hearings and the floor debate avoided any discussion that addressed the central issues of how the emerging broadcast industry was to be organized, structured,controlled, and supported in the broadest sense of these terms.

Indeed, one of the two authors of the Radio Act of 1927, Senator C. C. Dill, intended to keep controversial issues out of the congressional debate. His reasoning was that the newly formed Federal Radio Commission (FRC) should be left on its own to determine how best to regulate the airwaves and allocate the limited number of broadcast channels among the contending applicants in the "public interest, convenience and necessity."[5] This phrase had been included, if for no other

[3]S.E. Frost, Jr., *Education's Own Stations* (Chicago: 1937), 1-5.; *Digest of Hearings, Federal Communications Commission Broadcast Division, under Sec. 307(c) of the "Communications Act of 1934" October 1-20, November 7-12, 1934* (Washington D.C.: 1935), 180-249. [Hereafter *FCC Digest*]

[4]For a discussion of this period see Marvin R. Bensman, " The Zenith-WJAZ Case and the Chaos of 1926-27," *Journal of Broadcasting* 14 (Fall 1970): 423-440.

[5]Senator Clarence C. Dill, who was one of the co-authors of the 1927 Radio Act, argued that: "Congress would find it extremely difficult, if not impossible, to legislate on all the situations and conditions that develop from time to time. For this reason, the radio law granted the Federal Radio Commission, which it established, extremely broad powers." (Clarence C. Dill, "Safe-Guarding the

reason, to ensure the statute's constitutionality.[6] The FRC was established as a temporary body; its purpose was to bring order to the airwaves and to reduce the number of broadcasters. In 1928 the FRC instituted a general reallocation of the air frequencies -- General Order No.40 -- which, in effect, favored private commercial broadcasters over non-profit and non-commercial broadcasters.

Broadcasting was transformed between 1927 and 1933 in a manner that made the experience of the early and mid-1920s fade quickly into the past. The two networks, the National Broadcasting Company (NBC) and the Columbia Broadcasting System (CBS), scarcely existed in 1927 and failed to merit political consideration. By 1933 they were affiliated with thirty percent of all U.S. radio stations, and they dominated the airwaves.[7] The business community hardly paused to observe the Great Depression in its hurry to place advertisements over the air. As Philip Rosen has observed, the Radio Act of 1927 permitted commercial broadcasters to go on a "prosperous, almost triumphant expansion."[8]

On the other hand, the number of non-profit stations plummeted during the reign of the FRC. During the seven years after the passage of the Radio Act of 1927, 188 non-profit broadcasters discontinued operations while only a handful of new ones were licensed. By 1934 this left only sixty-five non-profit broadcasters, thirty-five of which were affiliated with educational institutions.[9] Indeed by 1934 it was estimated that non-profit broadcasters accounted for only two percent of the total airtime.[10] To no small extent the policies of the FRC drove them off the air. Futhermore, the commercial broadcasters tended to pursue aggressively, with great success, the channels the non-profit broadcasters occupied.

However, it would be inappropriate to locate the demise of educational and non-profit broadcasting solely in the actions of the FRC. In simple economic terms, the non-profit broadcasters were never under the illusion that they could compete on an equal footing with the commercial broadcasters. Displaced educational and non-profit broadcasters argued emphatically that in 1927 Congress had assured then that the

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Ether – The American Way," *Congressional Digest*, August-September 1933, 196.)

[6]See Louis G. Caldwell, "The Standard of Public Interest, Convenience or Necessity as Used in the Radio Act of 1927," *Air Law Review* 1 (July 1930): 295-330.

[7]Figures cited in Christopher H. Sterling, *Electronic Media, A Guide To Trends in Broadcasting and Newer Technologies 1920-1983* (New York: 1984), 12.

[8]Rosen, *Stentors*, 12. Barnouw has noted that in the brief period between 1927 and 1933, "almost all forms of enterprise that would dominate radio and television in decades to come had taken shape." (Barnouw, *Tower*, 270.)

[9]*FCC Digest*, 180-249.

[10]*Congressional Record*, 78 (May 15, 1934) : 8830-8834.

Radio Act had been loosely framed and that the FRC was intended to *favor* their cause in its interpretation of the "public interest, convenience and necessity."[11] FRC members, on the other hand, denied the constant charges that they were insensitive to the concerns of the non-profit broadcasters. They simply argued that the legislation was tightly worded and *forced* them to allocate licenses as they did.[12] The FRC member most sympathetic to autonomous educational broadcasting, Ira Robinson, candidly informed disgruntled educators in 1930 that their only recourse was to demand that Congress change the law.[13] Most FRC members simply told the educators that they should learn to use the airtime the commercial broadcasters offered them and not be so concerned about maintaining their own channels. Non-profit broadcasters quickly came to despise the FRC, and it was generally held in low regard in Washington. Its second General Counsel, Bethuel M. Webster, Jr., quit in disgust in 1929 and would characterize the FRC as an institution of "unparalleled mediocrity and ineptitude."[14] The only interested parties that seemed satisfied with the FRC and its administration of the Radio Act of 1927 were the two networks and the commercial broadcasters.

Displaced non-profit broadcasters formed the foundation of the movement which came to oppose the private and commercial domination of American radio between 1927 and 1933. While religious and labor broadcasters played an important role, educators were clearly the most significant component if this opposition movement. Under the aegis of Commissioner of Education William J. Cooper, nine of the leading national educational organizations formed the National Committee of Education By Radio (NCER) in 1930 to promote and preserve non-profit and non-commercial broadcasting stations. The NCER was

[11]During the committee hearings concerning the Radio Act of 1927 educators pushed for Congress to mandate that the new FRC *favor* educational and non-profit broadcasters in the allocation of air channels. They were told that such a mandate was unnecessary as it was implicit in the term "public interest", convenience and necessity." See the testimony of Father Harney in the *Hearings before the Committee on Interstate Commerce United States Senate 73rd Session on S. 2910 1934* (Washington D.C.: 1934), March 13, 1934, 186. [Hereafter *Senate Hearings 1934*] Also see Gibson, *Public Broadcasting*, 8.

[12]In 1931 the Chairman of the FRC, Charles McKinley Saltzman, argued that: "The Commission wishes to help the cause of education and the plans of educators, but it can do so only in accordance with the provisions of the law that prescribes its powers." Saltzman's interpretation of the Radio Act of 1927 was not that it was the vague yet powerful instrument Senator Dill claimed he had written but, rather, that the FRC's powers, limitations, and functions" were "prescribed in considerable detail." See Charles McKinley Saltzman," Commercial Broadcasting and Education." In *Radio and Education; Proceedings of the First Assembly of the National Advisory Council on Radio in Education, 1931*, edited by Levering Tyson, (Chicago: 1931), 26. (Hereafter *Radio and Education 1931*)

[13]Ira R. Robinson, "Who Owns Radio?" In *Education on the Air; First Yearbook of the Institute for Education by Radio*, Edited by Josephine H. MacLatchy (Columbus: 1930), 16-17.

[14]Bethuel M. Webster, Jr., "Notes on the policy of the Administration with Reference to the Control of Communications," *Air Law Review* 5 (April 1934): 108. Also, interview of Mr. Webster by the author, February 18, 1987.

mandated in its charter to lobby Congress to pass a law requiring that fifteen percent of the channels be reserved for non-profit educational broadcasters. The NCER was predicated on the principle that it was impossible to expect commercial broadcasters to provide adequate educational or cultural programming. In virtually all of their arguments, the educators stressed that the private censorship of commercial broadcasters, and especially the two major networks, undermined the traditional notion of free speech. The NCER had a full-time staff of three, published a monthly newsletter, and provided a relentless critique of the private and commercial domination of American radio throughout the early 1930s. The chairman of the NCER, Joy Elmer Morgan, also edited the *Journal of the National Education Association.*

A number of intellectuals began to consider the full implications of a private commercial radio system during this period as well; their observations were also quite critical of the status quo. This group included figures such as Bruce Bliven, James Rorty, Norman Thomas, John Dewey, William A. Orton, and Jerome Davis. Indeed, Joy Elmer Morgan was not far from the truth in 1933 when he argued that it was impossible to find any intellectual in favor of the status quo unless the person was receiving either money or broadcast time from a commercial broadcaster.[15] The American Civil Liberties Union (ACLU) even formed a Radio Committee in 1933 to address its alarm at the restrictions to free speech "inherent in the American system of broadcasting."[16] Many of the criticisms and concerns raised by these thinkers anticipated much of the serious media criticism of today. Nevertheless, the vast majority of the American people had little exposure to the ideas of these scholars or groups like the NCER. The major networks and the National Association of Broadcasters (NAB), on the other hand, were far more successful in their efforts to legitimize the status quo.

Yet, while the opposition movement may have been long on compelling arguments, it was short on political acumen. The various elements of the opposition movement rarely coordinated their activities. Some reformers sought a fixed percentage of the airwaves for non-profit broadcasters, others called for the establishment of a non-commercial government network to supplement the commercial broadcasters, and yet others had their own specific models for a reconstructed broadcasting system. The question of whether or not non-profit broadcasting should also be non-commercial proved to be a divisive issue for the opposition. The NCER and the ACLU were opposed to commercialism on

[15]Joy Elmer Morgan, "The New American Plan for Radio." In *A Debate Handbook on Radio Control and Operation,* Edited by Bower Aly and Gerald D. Shively (Columbia, Mo.: 1933), 82.

[16]Roger Baldwin to Harris K. Randall, April 4, 1933, American Civil Liberties Union Manuscripts, Princeton University, Princeton, New Jersey, 1931-1933, Volume 513. [HEREAFTER ACLU Mss]

principle while many labor and religious broadcasters argued that it was a necessary source of revenues. After several futile attempts to pass legislation assuring that fifteen percent of the airwaves be set aside for educational broadcasters, NCER decided to push instead for an independent (i.e., non-FRC) study of radio that would recommend fundamental changes in the structure of American broadcasting; it was certain that any independent study could *only* recommend radical changes in American broadcasting. The NCER stuck to this platform in 1934 even as another reformer, Father John B. Harney of New York, managed to get a measure to the floor of the Senate calling for twenty-five percent of the airwaves to be set aside for non-profit broadcasting. In addition, the ACLU Radio Committee also removed itself from this key debate in 1934 after it determined that its own radio reform package had no hope of passage.

Despite this lack of political sophistication, the arguments of the reformers, if not their specific remedies, found many sympathetic ears on Capital Hill. By 1932 the NCER and some other reformers were able to generate considerable support for their cause and there was an unmistakable groundswell of support for some sort of measures to restrict advertising and bolster educational broadcasting.[17] The Senate finally passed a resolution which called for the FRC to make a prompt study which was to address, among other things, whether advertising should be eliminated or reduced, whether government-owned stations were a viable option, and whether educational programming could be left safely to voluntary contributions of the commercial broadcasters. The FRC response, titled *Commercial Radio Advertising*, was based entirely on the response of commercial broadcasters to a questionnaire sent out by the FRC which did not solicit any input from the NCER or the other reform organizations. The report was a resounding defense of the status quo. It left NCER disgusted with what it considered a whitewash. The commercial broadcasters and their allies in Congress, to the contrary, were quite satisfied. The momentum for reform had been successfully defused for the time being.

Between 1928 and 1933 Congress was unable to agree on permanent legislation for the regulation of broadcasting and communications in general. When Franklin Roosevelt assumed the presidency in March 1933, opposition to the status quo was still intense if somewhat demoralized by the lack of progress on Capital Hill; the commercial broadcasters themselves were alarmed by the threat of reform and the NAB

[17]One study described this as a "Major movement...under way in the Senate" and deemed the educators as largely responsible for its existence. See Carl J. Friedrich and Jeanette Sayre, *The Development of the Control of Advertising on the Air* (New York: 1940), 14.

was constantly sounding the alarm to its membership.[18] Yet, they were rapidly consolidating their hold over the industry. By now the airwaves had been stabilized from the drastic restructuring of 1928-32, and the commercial broadcasters were in favor of a permanent body to replace the FRC. In early 1933 the NAB generated funds from member stations for "war plans" to fight off "attacks by unfriendly groups" and to "speed up the movement toward a thoroughly stabilized broadcasting industry."[19] The outcome of the conflict would determine the basic structure and the essence of American broadcasting into the last decades of the century.

President Roosevelt: Preliminary Observations

Before providing a chronological examination of the key events regarding President Roosevelt and radio legislation, a few preliminary observations are necessary. From the outset Roosevelt never revealed much inclination to make any fundamental reform in the structure of American broadcasting. In his rare public pronouncements, he was vague and generally supportive of the status quo.[20] He did not even pay lip service to the criticism surrounding commercial radio; he merely ignored it.[21] Most of his efforts regarding communications legislation were conducted through two of his assistant secretaries, Stephen Early and Marvin H. McIntyre, as well as another aide, Louis M. Howe.

The president took much of his counsel on radio matters from

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[18]The NAB was continually waving the red flag of reform to its membership in its weekly newsletter during these years. It characterized the Wagner-Hatfield amendment as bringing "to a head the campaign against the present broadcasting set-up which has been smoldering in Congress for several years." From "Wagner Amendment Up Next Week," *NAB Reports*, May 5, 1934, 618. One proponent of the status quo argued that the commercial broadcasters needed to engage in a "public relations" campaign or "run the risk of government ownership" due to the "growing dissatisfaction" of the American people toward commercial radio. See F. X. W., "Will American Broadcasting Become Classified and Regulated ad a Public Utility?" *Public Utilities Fortnightly* 10 (August 4, 1932) : 155.

[19]Sol Taishoff, "War Plans' Laid to Protect Broadcasting," *Broadcasting*, March 1, 1933, 5. The Standing Committee on Communications of the American Bar Association noted a sharp decrease in the number of contested license hearings by 1932. By this point the airwaves, by and large, were allocated along the lines where they would remain thereafter. See "Report of the Standing Committee on Communications." In *Report of the Fifty-Fifth Annual Meeting of the American Bar Association, 1932* (Baltimore: 1932), 452.

[20]Roosevelt's rare public pronouncements tended to be to industry groups at their annual conventions. For example, in a message to the Radio Manufacturers of America in 1934 Roosevelt stated: "In cooperation with the government, radio has been conducted as a public agency. It has met the requirements of the letter and spirit of the law that it functions for 'public convenience and necessity'." He used the type of terminology that lent itself to multiple interpretations: "To permit radio to become a medium for selfish propaganda of any character would be shamefully and wrongfully to abuse a great agent of public service." ("Keep Radio Free, Roosevelt Urges," New York *Times*, June 14, 1934, 21.) This is a statement to which Joy Elmer Morgan and Henry A. Bellows, the chief lobbyist for the NAB and a vice-president of CBS, could both whole-heartedly agree insofar as they each had entirely differing notions of "selfish propaganda."

[21]Roosevelt only mentioned radio policy during this period in one instance during his many presidential press conferences, and then it was only in the vaguest of senses. See *Complete Presidential Press Conferences of Franklin D. Roosevelt Volumes 1-2* (New York: 1972), 541-543.

Senator Dill, who was chairman of the Senate Interstate Commerce Committee that was responsible for handling all legislation concerning broadcasting. *Broadcasting* regarded him as "unquestionably" having "the most influential voice in federal radio control of any figure in public life."[22] Although eclectic in his criticism of broadcast regulation, Dill was vehemently opposed to any reform of the status quo. Given his power and his status as Congress' recognized "expert" on radio, by 1933 or 1934 most elements of the opposition movement had little hope of getting reform legislation to the floor of the Senate.[23]

Rosen has argued that Roosevelt was concerned mostly with establishing a new Democratic-staffed regulatory commission especially when it became clear that Hoover's appointments would not resign. He also argues that Roosevelt desired to maintain cordial relations with the commercial broadcasting industry. This would "ensure his ready access to the airwaves."[24] Considering Roosevelt's legitimate concerns regarding his treatment by the largely Republican newspaper industry, this is certainly a powerful argument. Furthermore, the commercial broadcasters were not to be dealt with lightly. Even those associated with the New Deal who favored a restructuring of radio recognized the immense task involved. One noted: "Radio is credited with one of the strongest of the swarming lobbies in Washington-- one with substance behind it. Members of Congress are dominated by tactics which are constantly under the direction of private interests."[25] Roosevelt was probably in no hurry to take on an uphill battle with the radio industry when the fruits of an unlikely victory did not promise mich immediate political payback and when the cost of a defeat or even a protracted victory could be immense.

Thus, there is a marked similarity between the program for broadcasting which the White House generated in 1933 and 1934 and the one the commercial broadcasting industry desired. The commercial broadcasters had two essential goals. First, they wanted to maintain the status quo in radio; as for legislation, their ideal was to re-enact the Radio Act of 1927 and the Federal Radio Commission on a permanent basis under new titles.[26] Second, they wanted to make certain that no

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[22]Martin Codel, "Dill and Davis Seen Powers in Radio Rule Under Roosevelt," *Broadcasting*, Nov. 15, 1932, 8.

[23]In correspondence in late 1933 representatives of NCER and the ACLU agreed that Senator Dill was a "weak sister" who would provide the reform effort no assistance. Roger Baldwin to Tracy Tyler, Oct. 24, 1933; Tracy Tyler to Roger Baldwin, Oct. 26, 1933, ACLU Mss, 1933, Volume 599.

[24]Rosen, *Stentors*, 174.

[25]Eddie Dowling, "Radio Needs a Revolution," *Forum* 91 (February 1934) : 69. Dowling was a theatrical producer from New York who had been active in Roosevelt's 1932 presidential campaign.

[26]The commercial broadcasters were unabashed in their praise of the 1927 Radio Act. As Henry A. Bellows told a Senate Committee hearing on the subject in 1934: "Almost everyone recognizes that, despite minor effects, the Radio Act of 1927, as amended, and the court decisions under it, have established

debate over the basic structure of the American broadcasting system take place in Congress. They felt far more comfortable with their fate in the hands of regulators than those of elected officials.[27] The two networks cultivated a healthy relationship with Roosevelt and they encouraged him to utilize their airwaves whenever he pleased, which he did some fifty-one times in his first year in office. This was significantly greater than the record of Herbert Hoover for any year he was in office.[28]

Nevertheless, the opposition movement wished to associate itself with Roosevelt and the New Deal and attempted to interpret his lack of public comment as a sign of support. Reformers never questioned Roosevelt's sympathies, at least not in their public pronouncements, throughout this entire period, although they had reason to be suspicious. In late 1933 the NCER and the ACLU Radio Committee, in the only instance they worked together, convinced the noted economist and New Deal Democrat Adolph A. Berle to use his influence to get Roosevelt to support the legislation calling for an independent and comprehensive study of broadcasting. Berle was unsuccessful, and both the NCER and the ACLU gave up hope of getting the bill passed in 1934.[29] This faith in Roosevelt may have reflected a degree of sophistication as much as it did naivete. Certainly no reform of radio was conceivable without, at the very least, the tactit support of the White House.

In addition, the opposition movement had considerable evidence that there was significant dissatisfaction with the status quo in radio within the administration ranks. Eddie Dowling, an actor who was in charge of the Stage, Screen and Radio Division of the Democratic Campaign Committee in 1932, emerged as a vocal critic of network, commercial radio and urged breaking up the two networks and establishing a number of smaller networks on a regional basis. He was almost nominated for a position on the FRC in early 1934 but Roosevelt placed him in another position.[30] Dowling did manage to convey his ideas in radio to White House staffers, but they let it out quickly that his proposals were "not being considered seriously in any fashion."[31] Another

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a solid basis for Government regulation of radio." (*Senate Hearings 1934*,March 10, 1934, 53-55.) Bellows also stressed this point in a letter to White House aide Stephen Early in February of 1934. (Bellows to Early, Feb. 28, 1934, Franklin Delano Roosevelt Manuscripts, Franklin D. Roosevelt Presidential Library, Hyde Park, New York, OF 859a, 1933-1945.) (Hereafter FDR Mss)

[27]This point is developed in Rosen, *Stentors*, 173, 174.

[28]"F.D.R.'s Radio Record," *Broadcasting*, March 15, 1934, 8.

[29]Assorted letters between Tracy Tyler and Roger Baldwin, November-December 1933, ACLU Mss, 1933, Volume 599. When Berle Reported Roosevelt's lack of interest, Baldwin would conclude: "The bill is therefore dead." From Baldwin to Webster, Jan. 13, 1934, ACLU Mss, 1934, Volume 699.

[30]"Starbuck's Job Sought By Eddie Dowling, et al, As End of Term Nears," *Broadcasting*, Jan. 1, 1934, 16.

[31]"President Ignores Dowling Proposals,"*Broadcasting*, March 1, 1934, 15.

opponent was Dr. Arthur Morgan, the chairman of the Tennessee Valley Authority (TVA), who in a speech in May 1934 stated that radio as well as newspapers and motion pictures "should not be operated for profit...they should be operated as social services and not for commercial profit just as are the public schools."[32]

Most of the Roosevelt Administration opponents to the status quo were in positions far away from the FRC or any place where broadcast policy decisions were being made. Two exceptions were James H. Hanley and Josephus Daniels. Hanley was a protege of Arthur R. Mullen, who had been the floor leader for Roosevelt at the 1932 Democratic convention. Roosevelt appointed Hanley to the FRC in 1933 to pay back Mullen, whereupon Hanley developed, quite unexpectedly, into what one trade publication characterized as an irresponsible radio "radical."[33] Hanley became the one FRC member who regularly defended non-profit broadcasters and, in a press release commemorating his first anniversary on the FRC, attacked the status quo and called for setting "aside a liberal number of channels for the exclusive use of educators and educational institutions." Hanley's views were applauded by the reformers but repudiated by administration officials and the balance of the FRC.[34]

Roosevelt's close personal friendship with Josephus Daniels provided him with an opportunity to become acquainted with arguments for the full nationalization of broadcasting. Roosevelt had served under Daniels when Daniels had been responsible for administrating radio as Secretary of the Navy during the Wilson administration. At that time Daniels had suggested that the U.S. government own and operate every radio station in the nation. Roosevelt appointed Daniels to be Ambassador to Mexico in 1933, and the two of them maintained contact with each other. Daniels never lost his interest in radio, and the issue appears frequently in his correspondence to Roosevelt. Roosevelt asked Daniels to represent the United States at the North American Radio Conference in Mexico City in 1933.[35]

Daniels never abandoned his belief that broadcasting and indeed the entire realm of communications should be nationalized. In January 1935 he wrote Roosevelt:

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[32]Arthur E. Morgan, "Radio as a Cultural Agency in Sparsely Settled Regions and Remore Areas." In *Radio As a Cultural Agency; Proceedings of a National Conference on the Use of Radio as a Cultural Agency in a Democracy*, Edited by Tracy F. Tyler (Washington D.C.: 1934), 81.

[33]Sol Taishoff, "Fate of FCC Measure Hangs in Balance," *Broadcasting*, June 1, 1934, 6.

[34]"Hanley Criticism of Broadcasting Setup Denied by Administration, Colleagues," *Broadcasting*, May 1, 1934, 22.; Sol Taishoff, "Powerful Lobby Threatens Radio Structure," *Broadcasting*, May 15, 1934, 5, 6.

[35]Daniels wrote to Roosevelt with his analysis of the situation. (Daniels to Roosevelt, July 12, 1933, FDR Mss, OF 136, 1933.)

> I understand that a movement is on foot in Washington to make a monopoly of all communications - telegraph, telephone, radio and cable. I am in favor of this if the monopoly is owned and controlled by the government, but strongly opposed to it if it is to be privately owned and operated. In time of war, we must take over communications. The government should own and control them all the time. There is no more reason why other communications should be privately owned than the mails. Radio and telephone are as important parts of communication as the mail was when Benjamin Franklin was Postmaster General.

However, Daniels was not ignorant of the political fallout such a proposal would engender:

> I am not suggesting that at this time you should propose this plan. You have too many other plans that must be carried out now to justify you in digging up more snakes than you can promptly, and the controllers of the telegraph and telephone and radio and cable are powerful.[36]

Yet despite Daniels' repeated professions on behalf of nationalized radio to Roosevelt, his actual activity on behalf of radio reform was non-existent. He had no contact with any of the reform groups or any awareness of their activities. His letters to Roosevelt reveal an ignorance of the relevant events transpiring on Capital Hill. Daniels' major contact in Washington was a naval officer named Stanford C. Hooper who was a proponent of private radio but feared foreign ownership for national security reasons. Nevertheless, his close friendship with Roosevelt provided him an audience that any other reformer would envy and none would ever approach.

The Roosevelt Administration and Radio Policy, 1933-34

In May 1933 Secretary of Commerce Daniel Roper concluded a study that proposed a reorganization of his department. The report suggested that a separate study of communications be conducted and, futhermore, that all the communications regulatory functions be shifted from the Interstate Commerce Commission (ICC) and the FRC to the Department of Commerce.[37] Even before his inauguration, Roosevelt announced plans to introduce legislation which would consolidate all the

[36]Daniels to Roosevelt, Jan. 15, 1935, FDR Mss, PPF 86, 1935.

[37]"Report of the Committee on Reorganization of the Department of Commerce," May 2, 1933, Department of Commerce manuscripts, National Archives, Washington D.C., NARG 40, General Correspondence, File 80553. (HEREAFTER Commerce Mss)

communications regulatory bodies into one large commission. Legislation was proposed to that effect, but by the summer of 1933 it became clear that it would suffer the same fate as the earlier attempts at comprehensive and permanent legislation. Then, in late July, Roosevelt submitted a personal letter he had received from Josephus Daniels, calling for the government ownership and control of broadcasting, to Secretary Roper and requested that Roper appoint a committee to study the matter.[38] Roper appointed a committee of four under the direction of former FRC Chairman Charles McKinley Saltzman.

On September 8 this committee submitted an eight-page single-spaced report to the president which described in no uncertain terms the impracticality of government ownership of communications. The report stressed the fundamental soundness of the Radio Act of 1927 and the regulatory system which emerged out of it.[39] The report also emphasized the immense opposition that would fight and effort to eliminate private broadcasting -- particularly the commercial broadcasters and newspapers which "after losing much advertising revenue due to radio advertising are becoming interested in owning radio stations." The report then asked: "Under the present unfortunate economic conditions, is the time ripe to incur the opposition that would arise?" The report concluded by calling for the consolidation of all communications regulatory functions under one government department. Yet the report was also critical of the lack of planning that had characterized the development of broadcasting and communications regulation. Thus, it also called for the establishment of a group to make "a careful survey of existing facilities and consolidations with a view to the formation of a national communication policy."[40]

Roosevelt responded this report by advising Roper to assemble an interdepartmental committee to "make a study for me of the entire communications situation."[41] He also advised Roper to consult with the FRC regarding Daniels' ideas about government ownership.[42] Nothing ever came of this. In September and October Roper gradually assembled

[38]Roper to Roosevelt, Aug. 15, 1935, Commerce Mss, NARG 40, General Correspondence, File 80553/ 13-D.

[39]Rosen, *Stentors*, 176.

[40]"Report of a Committee on Communications Appointed by the Secretary of Commerce," Sept. 8, 1933, National Bureau of Standards Manuscripts, National Archives, Washington, D.C., NARG 167, J. Howard Dellinger File, 1933.

[41]Roosevelt's directive instructed Roper "...to organize an interdepartmental committee to make a study for me of the entire communications situation in the fall of 1933." From *Study of Communications By an Interdepartmental Committee, Letter from the president of the United States to the Chairman of the Committee on Interstate Commerce Transmitting a Memorandum from the Secretary of Commerce Relative to a Study of Communications by an Interdepartmental Committee* (Washington D.C.: 1934). (Hereafter *Roper Report*)

[42]Roosevelt to Roper, Sept. 12, 1933, FDR Mss, OF 3, X Refs 1933.

representatives from eleven federal agencies and departments for weekly meetings to study the matter of communications regulation and policy. Senator Dill and Representative Sam Rayburn, the chairman of the respective congressional committees that considered communications legislation, were ostensibly on this "Roper Committee," but they were never able to attend. There is some question as to Roper's level of involvement as well.[43] The Roper Committee met in secrecy during the fall and did not solicit any public testimony. Roper would justify this secrecy by explaining that the committee was conducting a "study," not an "investigation," and therefore had not sought the opinions of "outsiders." According to Roper, these "outsiders" would have their opportunity to provide input on the legislation during the upcoming congressional committee hearings.[44] Nevertheless, despite the efforts to keep the activities of the Roper Committee out of the public eye, neither the commercial broadcasters nor the reformers could be kept at bay. As early as April, the NAB expressed alarm to Roosevelt at the rumor that the Department of Commerce was considering "drastic changes" in the "the method of administering the Radio Act of 1927."[45] However, by autumn the concerns of the commercial broadcasters had been allayed. In December, when the contents of the Roper Committee's impending report were leaked to the press to gauge the response, *Variety* noted that "probably few changes in the 1927 Radio Act will take place."[46] *The New York Times* reported that "there was little fear of government ownership of communications."[47]

The secrecy of the Roper Committee had been shattered by Drew Pearson and Robert S. Allen in their "Daily Washington Merry-Go-Round" column of November 30. The column began:

> A secret move is on foot to perpetuate the present monopoly which the big broadcasting companies have on choice wave lengths. It is being worked out behind closed doors by the so-called Roper radio committee. Appointed by the Secretary of Commerce originally to bring a new deal for radio, the committee is actually working to continue the old deal....What they are trying to do is get their report adopted by the White House before the general public

[43]Dill to Roper, Jan. 9, 1934, FDR Mss, OF 859a, 1935-1945.; Webster, "Notes," 109-110.

[44]Control Board Planned for All Communications; With Mergers Permitted," New York *Times*, Dec. 14, 1933, 1.

[45]McCosker to Roosevelt, April 12, 1933, Commerce Mss, NARG 40, General Correspondence, File 80553/13-D.

[46]"Communications Mergers," *Variety*, Dec. 19, 1933, 38.

[47]New York *Times*, Dec. 14, 1933, 2.

knows about it, before opposition can develop.[48]

This column was the first that the NCER had heard of the Roper Committee. Tracy Tyler of the NCER wrote Secretary Roper on December 5 to express his concern that the Roper Committee was attempting to "crystallize the system" before there was a "thorough-going impartial Congressional study of radio broadcasting." Both Roper and Saltzman wrote Tyler to assure him that he was misinformed and that his concerns would be brought before the Roper Committee.[49]

By this time, however, the committee had already sent its report, which came to be known as the Roper Report, to the president. In addition, Roosevelt received a "minority report" from the one member of the Roper Committee who dissented with the manner in which the proceedings had transpired. This was Naval Captain Stanford C. Hooper,who, as was mentioned above, was a friend and associate of Josphus Daniels. Although Hooper was no advocate of government ownership, he shared Daniels' great interest in radio and the belief that it merited serious attention by the Federal government.

In his minority report, Hooper expressed his displeasure with the superficial examination the Roper Committee had made of the question of broadcasting:

> . . . the subject of regulation of radio broadcasting, mentioned so prominently in the directive to the committee, and of such great importance to the communication facilities of the nation, has not been considered by the committee, although their report recommends regulation of the communication service of the country, *without excluding broadcasting*, by a single body. The minority member feels that any study of Federal relationship to communications is incomplete unless a thorough study of radio broadcasting has been included.

Hooper also disagreed with the notion that the "real" study of broadcasting could or should be left to the FRC or the to-be-created supra-communications regulatory agency. He wrote:

> My experience in government affairs has convinced me that if the large companies in an industry wish to attain a common end they will eventually succeed unless the laws passed by Congress are such

[48]"Daily Washington Merry-Go-Round," Nov. 30, 1933, Commerce Mss, NAEG 40, General Correspondence, File 80553/13-G.

[49]Tyler to Roper, Dec. 5, 1933; Roper to Tyler, Dec. 8, 1933; Saltzman to Tyler, Dec. 11, 1933; Davis to Dickinson, Dec. 12, 1933, Commerce Mss, NARG 40, General correspondence, File 80553/13-G.

> as to provide adequate barriers. With clever executives and high-priced lawyers, the Government administrators have little chance in the long run to resist such pressure, due to the ever-changing personnel in the Goverment, regardless of the unquestioned faithfulness of these employees. Consequently, I believe that unlimited discretion should not be given to any regulatory body, on matters of broad policy, especially to the extent of authorizing departure from anti-trust and other natural laws under which the public is protected.[50]

In early January Roosevelt met with Roper, Dill, and Rayburn to discuss "the whole matter of communications."[51] The question of how to characterize the Roper committee's study of broadcasting loomed large. The Roper Report which was released to the public in late January, stated that "the problems of broadcasting are not being considered in this study."[52] The report was all of fourteen pages long; it barely mentioned radio. Nevertheless, as Hooper had pointed out in his minority report, the report did include radio broadcasting in its conclusions. It suggested the continuation of private ownership and operation as well as the regulation of all communications industries by one new agency.

As one might imagine, those interested in reforming the structure of radio were not impressed with the report. James Rorty lashed out at it for ignoring and postponing the formulation of a sound policy regarding broadcasting. In an article in The Nation, he termed it, "mumbing, evasive and futile."[53] The sharpest attack came from Bethuel M. Webster, Jr., who had served as General Counsel for the FRC in its early years and was active on the radio committees of both the American Bar Association (ABA) and the ACLU. After terming both the Roper Report and the Administration's efforts in regard to communications policy as "inept," he observed:

> In fact, it appears on analysis that the Administration has no program or policy at all, except to consolidate communications control, and that it had not and apparently will not come to grips with the really vital questions which must be solved before the country has a sound communications policy.

Webster derided the absurdity of the Roper Committee's closed

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[50]Comments on Report of Majority Members of Committee and Discussion of Position of Minority Member, FDR Mss, OF 859a, 1933-1945.

[51]Roosevelt to Roper, Jan. 8, 1934, FDR Mss, OF 3, Jan.-Feb. 1934.

[52]"Wash. Omits Radio From Fed. Control of Communications," *Variety*, Jan. 30, 1934, 37.

[53]James Rorty, "Order on the Air", *The Nation*, May 9, 1934, 529.

meetings and its rejection of any expert testimony. He concluded that anyone who had read

> . . . almost any report prepared by almost any committee of commission which had taken the trouble, with the assistance of specialists, to gather and organize the facts and to formulate statesmanlike conclusions and recommendations, will blush at the sight of the Roper Report.[54]

The matter of conducting a distinct study of radio broadcasting did not disappear with the release of the Roper Report. On January 25, 1934, Roper sent the following letter to Roosevelt:

> I feel that inadequate attention was given to the subject of broadcasting in the study recently made by our interdepartmental committee. Broadcasting should have special consideration in the light of its importance for educational social entertainment and commercial advertising.
>
> Would you think it advisable to have a committee pursue this matter? If you approve, such a committee could well consist of a representative of the State Department, the Bureau of Education in the Interior Department and the Secretary of the Radio Commission.

Roosevelt had the letter returned to Roper with an "OK" written in his handwriting.[55] On February 7 Roper called a press conference and announced that Roosevelt approved of his forming a committee to study broadcasting.[56]

During February, plans were developed for this "Federal Committee to Study Radio Broadcasting." The initial plan recognized the controversial nature of the topic and recommended that various organizations and individuals be invited to submit briefs on the matter but that no hearings be held.[57] Representatives of the NCER wrote to Roper on several occasions to offer their input and to plead for a thorough and independent study of radio.[58]

The plans for the study were quietly dropped in late February. Dill

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[54]Webster, Jr., "Notes," 108, 117.

[55]Roper to Roosevelt, January 25, 1934, FDR Mss, OF 3, X Refs 1934.

[56]Sol Taishoff, "Roosevelt Demands Communications Bill," *Broadcasting*, Feb. 15, 1934, 6.

[57]Koon to Roper, Feb. 21, 1934, Commerce Mss, NARG 40, General Correspondence, File 80553/13-D.

[58]Roper to Tyler, Feb. 15, 1934; Tyler to Roper, Feb. 12, 1934; Kerlin to Morgan, Feb. 26, 1934, Commerce Mss, NARG 40, General Correspondence, File 80553/13-D.

and Rayburn convinced Roosevelt and Roper that the study was unnecessary and that it would take so long that it would be impossible to get communications legislation passed in the current session. The broadcasting industry made its displeasure with the proposed study known as well, particularly when it became clear that "anti-broadcasting groups" intended to use the proposed study as an opportunity to present their case.[59] The Commerce Department informed interested parties that the committee had been terminated and "this matter, for the time being, will be entirely handled by the Congress."[60]

During February Dill and Rayburn drafted the legislation in frequent consultation with Roosevelt and White House aides.[61] They hoped to stem any potential opposition to the proposed legislation by authorizing the to-be-created communications commission to make a thorough study of communications on its own and report back to Congress with any suggestions for legislative reform the following year. Dill commented, "If we leave out the controversial matters the bill can be passed at this session." In addition he argued:

> It is far wiser to let the proposed commission have the power to make these studies than to have Congress legislate on intricate and complex aspects of the communications program at this time.[62]

In late February Dill and Rayburn each introduced their respective bills to the Senate and the House. President Roosevelt issued a formal statement to Congress announcing his support of the legislation and urging its passage. He also reinterated Dill's argument:

> The new body [the proposed communications commission] should, in addition, be given full power to investigate and study the business of existing companies and make recommendations to the Congress for additional legislation at the next session.[63]

The advocates of non-profit broadcasting were unenthusiastic about postponing any fundamental discussion of American radio and transferring it to another regulatory commission. In March of 1934 the Senate Interstate Commerce Committee took up its hearings on the proposed

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[59]"Broadcasting Survey Postponed," *NAB Reports*, Feb. 24, 1934,

[60]Roper to Hohenstein, March 6, 1934, Commerce Mss, NARG 40, General Correspondence, File 80553/13-G.

[61]*Variety*, Feb. 13, 1934, 1.; Assorted Memos between Dill, Rayburn, Roosevelt and McIntyre, FDR Mss, OF 859, 1933-1945.

[62]"Roosevelt Approves Communications Board to Rule Radio, Telephone, Telegraph, Cable," New York *Times*, Feb. 10, 1934, 12.

[63]"Asks Body to Rule Wires and Radio," New York *Times*, Feb. 27, 1934, 1.

legislation. The vast majority of the nineteen witnesses were either corporate executives, representatives of industry groups, or government officials. Only five dealt with broadcasting, and only one of those presented a critical view of the status quo. Indeed, a 331-page report on communications companies which had been prepared for Congress by Walter Splawn of the Interstate Commerce Commission recommended the passage of the legislation and maintenance of the status quo in broadcasting, yet devoted only twelve pages to the topic of broadcasting, in which simply the stations and their owners were listed. Splawn indicated a "fuller report on broadcasting" would be forthcoming.[64] The dissenting voice was that of Father John B. Harney, who represented the Paulist Fathers of New York City which operated station WLWL in New York City. During the course of the station's continual battles with the FRC and several commercial broadcasters which had successfully taken most of WLWL's airtime, Harney had become a fiery advocate of preserving and expanding the role of non-profit broadcasting.

Harney proposed that the legislation include an amendment which would nullify all radio broadcast licenses within ninety days and require a complete reallocation of the airwaves with a minimum of twenty-five percent of the channels to be distributed to non-profit and educational broadcasters. Senator Dill attempted to impress upon Harney his idea of having the newly formed communications commission study the matter and make recommendations the following year. Harney argued that given the track record of the FRC it was impossible to put any faith in a regulatory agency and that it was the duty of Congress to specifically direct the newly formed communications commission in the matter.[65]

The committee rejected Harney's amendment. Nevertheless, Harney had considerable support in the Senate; and Senators Robert Wagner, Democrat of New York, and Henry Hatfield, Republican of West Virginia, introduced a slightly revised version of his amendment, now termed the Wagner-Hatfield amendment, to the Senate in April. Perhaps sensing impending problems, Dill had the committee insert a passage into the bill specifically instructing the new commission to study the Harney proposal and then to report back to Congress in early 1935 with its recommendations. This would become Section 307(c) of the Communications Act of 1934. Indeed, Father Harney and the Paulist Fathers coordinated a nationwide campaign to generate support for the

[64]"Radio Submerged at Capitol Hearings," *Broadcasting*, April 15, 1934, 11. The author can find no indication that Splawn ever completed this "futher study" of broadcasting, at least within the time frame for the enactment of legislation.

[65]*Senate Hearings 1934*, March 15, 1934, 186-190.

Wagner-Hatfield amendment. They managed to obtain some 60,000 signatures on petitions in just a few weeks, largely through Catholic organizations, in support of the measure.[66] FRC member Hanley announced his support, which was immediately repudiated by the White House and the balance of the FRC, and even representatives of organized labor lobbied on behalf of the amendment.[67]

By early May *Variety* noted that the sentiment on Capitol Hill was that the Wagner-Hatfield amendment stood "better than a 50-50 chance of being adopted" and that the NAB was "in panic checking off names of Senators and trying to pull wires and get votes."[68] Indeed, the NAB and the networks launched an extravagant counter-offensive in early May; as Henry Bellows of the NAB put it, passage of the Wagner-Hatfield amendment "obviously would have destroyed the whole structure of broadcasting in America."[69] The campaign was successful. By May 12 the NAB would confidently inform its membership that the Wagner-Hatfield would be defeated "overwhelmingly."[70] Indeed, the radio lobby elected to force a vote on the amendment rather than have it sent back to committee, in order, as an NBC vice-president put it, "to dispose of this matter for all time."[71]

The Wagner-Hatfield amendment reached the floor on May 15, 1934. Senator Dill led the floor fight against the amendment, and it was voted down 42-23. The same day his bill was passed on the voice vote without any floor debate. A key reason for the defeat of the Wagner-Hatfield amendment was the inclusion of what would become Section 307(c) in Dill's bill. The president avoided taking a public position on the Wagner-Hatfield amendment and merely stressed the need to get some sort of communications legislation through Congress in the current session.[72] Rosen has argued that the White House played a critical behind-the-scenes role in defeating the Wagner-Hatfield amendment: "Quick action from the Roosevelt administration overwhelmed its opposition."[73] With little fanfare, the House passed the bill two weeks later, and President Roosevelt signed the Communications Act of

[66]United States Senate Interstate Commerce Committee Papers, National Archives, Washington, D.C., Sen-J28, tray 155.

[67]*Broadcasting*, May 1, 1934, 22; *Broadcasting*, May 15, 1934, 5,6; " Labor Aids Bill for Free Radio," *Federation News*, April 7, 1934, 6; "Labor Toils for Radio Freedom," *Federation News*, May 26, 1934, 1, 3.

[68]"Air Enemies Unite Forces," *Variety*, May 8, 1934, 37, 45.

[69]Henry Bellows, "Report," *NAB Reports*, Nov. 15, 1934, 618.

[70]"Senate to Pass Dill Bill," *NAB Reports*, May 12, 1934, 387.

[71]Frank Russell to Merlin Aylesworth, May 11, 1934, National Broadcasting Company Papers, Wisconsin Historical Society, Madison, WI, Box 90, Folder 53.

[72]*Variety*, May 8, 1934, 45.

[73]Rosen, *Stentors*, 177.

1934 into law on June 18.

The trade publication *Broadcasting* regarded the passage of the Communications Act as a victory for the industry was contingent upon whom Roosevelt would appoint to the newly formed FCC.[74] These concerns were soon erased when Roosevelt announced his appointees on June 30. Two members of the old FRC were retained on the new FCC: Chairman Eugene O. Sykes and Vice-Chairman Thad H. Brown. Hanley, the radio "radical," was not carried over. Sykes, Brown, and newcomer Hampson Gary of Texas were appointed to the FCC's new Broadcasting Division, which would be responsible for all broadcast regulatory matters. At its first meeting on July 11, the new FCC voted to "retain the status quo insofar as broadcasting regulation is concerned" and to move "cautiously" toward any reform.[75] Broadcasting greeted these developments with satisfaction and noted:

> Any fears harbored by those in broadcasting that an immediate upheaval of radio might result from the new FCC are dispelled with the organization of that agency into divisions. The Broadcasting Division...is a conservative group. It can be expected to carry on the basic policies of the old Radio Commission, for, indeed, two of its members were on the former agency.[76]

The victory for the continuation of the status quo still faced one final obstacle: the hearings on whether a fixed percentage of air channels should be set aside to non-profit groups as required by Section 307(c) of the Communications Act. The Broadcasting Division, at its first meeting announced that these hearings would be held in October. There was little suspense as to the outcome. At the annual NAB national convention in September, both Gary and Brown made it clear that they would not tamper with the private commercial broadcasting structure.[77] Sykes was a long-time advocate of the status quo. Nevertheless, the NAB organized the pro-industry case with the same resolve that typified their legislative efforts. Father Harney, convinced of the impossibility of an impartial hearing, decided not to testify on behalf of the fixed-percentage principle. The ACLU publicity director argued

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[74] Sol Taishoff, "FCC Replaces Radio Commission July 1,"

[75] Sol Taishoff, "Radio Status Quo as FCC Convenes," *Broadcasting*, Aug. 1, 1934, 5.

[76] "Three-Man Control," *Broadcasting*, Aug. 1, 1934, 22.

[77] Gary assured the broadcasters that they had nothing to fear from the upcoming hearings: "Nothing revolutionary is in view. Naturally, we will bend every effort to improve the existing set-up for the benefit of the public's reception and for your benefit." Brown was also reassuring in his comments to the broadcasters: "It is our steadfast desire to vest in the broadcaster all powers of control properly belonging to him. It is rightly your job, and you are the ones properly qualified to do the job of directing broadcasting for the benefit of and to protect the rights of millions of American listeners." ("Government Interference Fear Groundless, Say Commissioners," *Broadcasting*, Oct. 1, 1934, 18.)

that the hearings were "called simply to satisfy the squawks of educators" and that they were a "set-up for the broadcasters."[78] Ironically, the NCER, which had never lobbied on behalf of the Wagner-Hatfield amendment, agreed to organize the "pro-fixed percentage" side of the hearings.

The reformers were granted the first ten days of October to present their case. The industry was permitted the next week to make its rebuttal. The Roosevelt Administration stayed abreast of the proceedings; Gary sent his own summaries of the two cases to White House aide Stephen Early.[79] In contrast to the well rehearsed industry position which emphasized the merits of the status quo and the tremendous commitment of the commercial broadcasters to educational and cultural programming, the pro-fixed percentage forces appeared disorganized and even contradictory.

Despite the strength of the pro-industry position, a potentially serious crisis emerged when the Broadcasting Division began accepting testimony from representatives of government agencies in late October. On October 19, quite unexpectedly, Dr. Floyd W. Reeves, the official representative of the Tennessee Valley Authority (TVA), issued a sharply worded critique of the limitations of commercial broadcasting. Futhermore, he called for the establishment of a federally owned and operated network to supplement the commercial networks and to be managed and supported in a manner similar to the British Broadcasting Corporation (BBC).[80] Joy Elmer Morgan of the NCER, who had seen his side being battered during the hearings, immediately seized the initiative and interpreted Reeves' testimony as an indication of the New Deal position on radio. On October 26 he sent the text of Reeves' testimony to a number of people and encouraged them to notify the FCC of their support for the TVA proposal. The FCC would receive several hundred letters-- many of considerable length and thought -- endorsing Reeves' TVA proposal over the following few weeks.[81]

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[78]Clifton Read, "Memorandum for Members of the Radio Committee," Sept. 12, 1934, ACLU Mss, 1934, Volume 699.

[79]Gary to Early, October 1934, FDR Mss, OF 1059, Sept.-Dec. 1934.

[80]Reeves' comments reflected much of the prevalent sentiment of the reformers toward commercial radio: "There should be an opportunity for people to hear a reasonable amount of educational and cultural broadcasting free from advertising. It should not be forgotten that freedom of speech needs to be safeguarded not only from interference by political forces but also from interference by commercial forces. This cannot be accomplished with all or almost all of the radio channels operated under commercial ownership." (Cited in "Tennessee Valley Authority Urges Chain," *Education by Radio*, Oct. 25, 1934, 45.)

The New York *Times* described this unexpected testimony by Reeves as the "only fly in the ointment for the broadcasters" in their case against the educators. ("A 5-Point Plan For Radio," New York *Times*, Oct. 28, 1934, section 9, 11.)

[81]These letters can be found in Federal Communications Commission Manuscripts, National Archives, Suitland, Md., NARG 173, Box 497, File 201-4. [HEREAFTER FCC Mss]

The day after Reeves' testimony, journalists contacted the White House asking if it represented the administration's or even the TVA's position on radio. White House aide M. H. McIntyre had several inquiries on the matter and in a memo to Stephen Early noted that "the broadcasters themselves seem very perturbed." Early immediately contacted Dr. Arthur Morgan, chairman of the TVA, and told him to withdraw Reeves' statement and replace it with one that rejected government ownership of radio.[82] Morgan complied on October 23 in a telegram to the FCC.

The NAB immediately insisted that Morgan's telegram repudiated Reeves' testimony and therefore rendered it irrelevant and forgettable. They attacked Joy Elmer Morgan for attempting to continue to capitalize on it. Joy Morgan, on the other hand, argued that it was the NAB that was, in fact, misinterpreting Dr. Morgan. He noted that at the NCER conference earlier in the year, Dr. Morgan had delivered a ringing denunciation of the private ownership of any of the mass media. Unfortunately for Joy Morgan, the media and the FCC accepted the NAB interpretation of the events. Indeed, the FCC wrote to each of the persons who had written on behalf of the TVA proposal to inform them that since the TVA had formally withdrawn the propasal, the FCC could no longer consider the proposition of a government network.[83] In addition, Dr. Morgan remained silent and made no effort to clarify his position on Joy Elmer Morgan's behalf.

The incident was soon forgotten, and the Broadcasting Division hearings concluded the following month. To the surprise of no one, in January 1935 the FCC recommended to Congress that the status quo was performing adequately and that any fixed allocation of channels to non-profit broadcasters was unnecessary. The reform movement rapidly dissolved. Only the ACLU continued to push for substantive reform legislation that challenged the private, commercial control of the airwaves. By 1938 it dispensed with these unsuccessful efforts and noted in an internal memo: "The big broadcasting chains are very strong with the administration....The whole radio picture looks very sad."[84] The era of legitimate public debate over the structure and control of American broadcasting was formally over; the era of debate over manipulation of the status quo through regulation and social responsibility theorizing had begun.

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[82]Early memo, McIntyre Memo, Oct. 20, 1934, Oct. 22, 1934, FDR Mss, OF 136, 1934. *Broadcasting* wrote that Arthur E. Morgan's telegram was "promptly interpreted in political circles" as a move by the Roosevelt administration to "squelch the whole incident" and make it absolutely clear that the New Deal had no interest in government ownership of radio stations. (Sol Taishoff, "Class Wave Plan Overwhelmingly Opposed," *Broadcasting*, Nov. 1, 1934, 5.)

[83]FCC Mss, NARG 173, Box 497, File 201-4.

[84]Hazel Rice to Henry Eckstein, Dec. 22, 1937, ACLU Mss, 1937, Volume 1011.

Some Concluding Observations

Three critical and closely related points emerge from this study. First, the period from 1927-1934 warrants considerably greater attention by broadcasting historians than it generally had been accorded. The Radio Act of 1927 hardly mandated the corporate commercial status quo of broadcasting nor was it the result of strenuous public debate which anticipated what was to follow. The seven years after 1927 are so important because it was only then that the contours and attributes of the private commercial system became apparant. People had an opportunity to see the future and to react accordingly.

Much of the scholarship heretofore has seemingly accepted that the private commercial basis of broadcasting was entrenched by the mid 1920's and that the following decade, at best, simply records the gradual recognition of this fact. This seems overly deterministic. Granted, as this article had argued, the commercial broadcasters were operating from a position of considerable strength in the 1930's. Nevertheless, there was significant dissatisfaction with the status quo. Indeed, only recently have scholars begun to appreciate the extent of this dissatisfaction with the private commercial domination of the airwaves.[85] This opposition included educators, religious figures, intellectuals, labor, civil libertarians, traditional Republicans, and numerous reform-minded New Dealers.

Second, while the Communications Act of 1934 becomes more important in this context, this does not imply that its passage signified a public ratification of the status quo. To some extent this can be attributed to factors that lie ouside the scope of this article. Most important, the legislation was drafted during the depths of the Great Depression when Congress and the public were most concerned with the pressing need for economic recovery. Indeed, the legislation was lost among the seemingly countless reform proposals of the New Deal. And even if attention was given to the communications legislation, the focus tended as much to be on those aspects of the bill which dealt with the other communications industries as on radio.

To a larger extent, however, this lack of debate was the result of the conscious efforts of the commercial broadcasters and their allies in Washington, D.C., to continually postpone, eliminate, and defuse any possibility of a public examination of the American radio system. During 1933-1934 the reformers were continuallly frustrated by the ineffectual Roper Committee, the disbanded Federal Committee hearings, the intentionally ineffectual Congressional committee hearings, and the

[85]For a recent example see Susan Smulyan, "'And Now A Word From Our Sponsors...': Commercialization of American Broadcast Radio, 1920-1934" (Ph.D. dissertation, Yale University, 1985). See chapter five.

pre-determined FCC hearings. The only window of opportunity was the two-hour debate over the Wagner-Hatfield amendment which many reformers failed to take seriously and for which the pro-industry forces were able to overwhelm the reformers with their greater political strength. The industry forces showed no inclination to include the American people in the debate over radio; and, indeed, the vast majority of the population never had the slightest idea about what was transpiring in the spring of 1934 or its implications for American society.[86] This does not mean that the American people were necessarily opposed to the status quo; indeed, one could marshal an argument to the contrary. The point is, quite simply, that the commercial broadcasters and their allies were opposed even to granting the public the knowledge that there were alternatives to the status quo or that the public had a right to recreate the system if it so desired. In sum, it would not be unfair to conclude that there has never been a viable public debate in the United States over the fundamental control and structure of its broadcasting services.

Indeed, the Communications Act of 1934 was clearly a resounding triumph for the large corporations that dominated American broadcasting and a mortal blow to the opposition movement. In 1934 the challenge of to the status quo did not come from the enemies of democracy or proponents of totalitarianism. Whatever the faults and limitations of the opposition movement,its members were genuinely propelled by a desire to see radio opened up to a wider spectrum of voices and to see it held under firm popular control. This notion that the Communications Act of 1934 represents some sort of victory for the "public interest" is only credible if one accepts that the public interest is identical with the interests of the major private networks and advertisers. This "public interest" thesis may have been so prevalent in the past because the opposition movement has been largely ignored or trivialized and the rhetoric of the commercial broadcasters has been taken at face value.

Finally, President Roosevelt's role in broadcast history merits greater recognition. It is understandable that he had no interest in engaging the commercial broadcasters in a political battle. However, had he done so he may well have been able to generate considerable popular support. The fact that the Wagner-Hatfield amendment got as far as it

[86]Obviously, if people had no notion that any alternative to the status quo was possible, then the status quo was safe from any life-threatening attacks. Indeed since 1934 the notion that the American broadcasting system is ingrained into the essence of our society and is unalterable has become a largely unquestioned supposition. Thus in a 1945 study of American attitudes toward radio, Paul Lazarsfeld noted that people seem to accept the commercial structure of American broadcasting. He added, however, that: "People have little information on the subject, they have obviously given it little thought." Paul F. Lazarsfeld, *The People Look at Radio* (Chapel Hill: 1946), 89.

did, with only the ad hoc campaign put together by a small Catholic order behind it and with hardly a trace of coverage in the mass media, may indicate that the range of possible action was greater than the traditional view had countenanced.

Had Roosevelt supported a fixed allocation of channels to non-profit broadcasters or some sort of national non-commercial network along the lines of the BBC, it would hardly have guaranteed success. Indeed, a measure along these lines still may have faced defeat. However, his decision not to challenge the status quo clearly sounded the death knell for the reform movement. One does not sense that Roosevelt has particularly strong convictions with regard to how best to structure American broadcasting. Yet, the notion that he may not have been especially interested in broadcast policy is almost beside the point: his few actions set the tone for his administration, and the policy was to avoid antagonizing the big commercial broadcasters. Even if we posit that Roosevelt was stridently in favor of the status quo on an intellectual level, he nevertheless was willing to sacrifice the last and only opportunity the public would have to debate the merits of its broadcasting services for what would appear to be the sake of short-term political gain. While this is understandable and pardonable on one level, in the long run it may have proven to be a very high price to pay for American society.

Historiographical Essay

Historians and Freedom of the Press Since 1800

By Timothy W. Gleason

The history of freedom of the press since 1800 is largely unwritten. Until recent years historians ignored freedom of the press in the nineteenth century, and large gaps in twentieth-century historiography present great opportunities for research. Histories of certain free press episodes exist -- with the World War I experience attracting the most attention -- but the majority of works are either doctrinal studies of the constitutional law of freedom of the press or narratives detailing government's denial of an assumed libertarian right of freedom of the press.

The dominant approach has been "the conventional liberal view that the history of First-Amendment adjudication is the story of steadily expanding liberties."[1] The adoption of the First Amendment signalled rejection of the Blackstonian view of freedom of the press as an absence of prior restraint and the rejection of seditious libel. This liberal original intention provides the foundation for an evolutionary doctrine of freedom of the press that has progressed toward greater protection of freedom of the press since 1791. The dominance of this version of free press history has resulted in a free press historiography defined by the case law and doctrinal history of Supreme Court interpretation of the speech and press clauses of the First Amendment.

Doctrinal histories focus on the "doctrines and behavior of courts" beginning with *United States v. Schenck* (1919). Law professors,

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[1]Norman L. Rosenburg, *Protecting the Best Men: An Interpretative History of the Law of Libel* (Chapel Hill, 1986), 9.

political scientists, and journalism professors heavily influenced by law and political science literature trace case law with little reference to political, social, or economic context.

The narratives describe episodes in United States history when the government restrained freedom of the press. Descriptive studies document the varying degrees of freedom of the press during the abolitionist period, the Civil War, the anarchist period, World War II, and the Smith Act. The traditional assumption is that government restraint of the press is the exception and that episodes of censorship are aberrations in the American tradition of freedom.

Many treatments of freedom of the press since 1800 can be characterized as "law office history." They are documents of advocacy written to address the free press issues of the present. The lessons of the past are brought forth to warn of the danger of government censorship or intolerance of unpopular political ideas. While this manipulative use of history has value in legal and political discourse, historian Paul Murphy has identified the weaknesses of such law office histories. He wrote:

> History...has a particular functional quality as an aspect of legal advocacy.... The questions asked, the values expressed, and the factors considered in a law-making context are not the same as those present in a research context.[2]

This is not to suggest that history is a statement of objective truth. The process of writing history, Dwight L. Teeter and MaryAnn Yodelis Smith wrote in 1978, "is one of imaginative reconstruction or re-creation; the historian's personal beliefs and attitudes, along with that individual's level of knowledge, intelligence, training and intellectual honesty, will all affect the finished work of history."[3] In creating a story of the past, the historian must avoid the urge to write about the past with eyes and ears focused on the present. The historiography of freedom of the press is riddled with works in which historical fact is used selectively to buttress free-press theories in present battles. Such work may have a place in courtrooms and campaign speeches, but it adds little to better understanding about the history of freedom of the press.

For historians examining freedom of the press since 1800, the

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[2]Paul L. Murphy, "Time to Reclaim: The Current Challenge of American Constitutional History," *American Historical Review* 74 (1963), 77.

[3]Teeter and Smith, "Justice Black's 'absolutism': notes on his use of history to support free expression," in Everette E. Dennis, et al., eds., *Justice Hugo Black and the First Amendment* (Ames, Ia., 1978), 32.

shaking of the foundation of original intent requires a new analytical framework. Leonard Levy in *Legacy of Suppression* (1960) and the research provoked by his history of original intent show that long-held, twentieth-century assumptions about the foundations of First Amendment history are incomplete.[4] If the foundation of original intent is less than sound, the history of freedom of the press as the evolution of a liberal doctrine must be examined.

Historians are engaged in fruitful ferment over the methods, focus, and philosophical underpinnings of historiography.[5] New approaches to legal history challenge traditional assumptions found in free-press history. Legal historians are asking fundamental questions about the nature of law and its relation to society. "The emergence of competing paradigms among legal historians and intense methodological conflict among lawyers and historians"[6] in legal history are creating new ways of understanding law. Broadly stated, the new legal histories of the Law and Society and Critical Legal Studies movements take "the whole legal system as its province and stress the interaction of change in American law with socioeconomic developments."[7] In addition, intellectual legal history, for example, the work of G. Edward White, demonstrates the ideas and intellectual currents *are* important influences on the development of the law.[8] Also, the new legal history's focus on private law rather than constitutional law illustrates the importance of common law to the development of freedom of the press.[9]

As intellectual currents in other areas of history begin to influence histories of freedom of the press, revisionists are addressing some of the many questions not asked or answerable in the dominant paradigm. Rather than viewing the meaning of freedom of the press solely as a question of constitutional doctrine articulated by the Supreme Court of

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[4]See Wm. David Sloan and Thomas A. Schwartz, "Freedom of the Press, 1690-1801: Libertarian or Limited?" *American Journalism* 5 (1988), 159-78.

[5]See, Oscar Handlin, *Truth in History* (Cambridge, Mass., 1979); Gertrude Himmelfarb, *The New History and the Old* (Cambridge, Mass., 1987); Michael Kammen, ed., *The Past Before Us* (Ithaca, NY., 1980); Thomas Bender, "Wholes over Parts: The Need for Synthesis in American History," *Journal of American History* 73 (1986), 120-36.

[6]Michael Grossberg, "Legal History and Social Science: Friedman's *History of American Law*, the Second Time Around," bk. rv. *Law & Social Inquiry* 13 (1988), 361.

[7]Harry N. Scheiber, "American Constitutional History and the New Legal History: Complementary Themes in Two Modes," *Journal of American History* 68 (1981), 337.

[8]*See, for example,* "Truth and Interpretation in Legal History," *Michigan Law Review* 79 (1981), 594-615; "From Sociological Jurisprudence To Realism: Jurisprudence And Social Change In Early Twentieth-Century America," *Virginia Law Review* 58 (1972), 999-1028; *Tort Law In America: An Intellectual History* (New York, 1980).

[9]*See, for example,* J. Willard Hurst, *The Growth of American Law* (Boston, 1950); Lawrence M. Freidman, *A History of American Law*, 2d ed. (New York, 1985); Morton Horwitz, *The Transformation of American Law* (Cambridge, Mass., 1977).

the United States or as the story of a liberal tradition of strong support for freedom of the press marred by occasional lapses into authoritarian repression, historians are struggling to understand the meaning of the concepts "freedom," "press," and the even more difficult concept of "freedom of the press" within a broader historical context.

In a companion essay, "Freedom of the Press, 1609-1801: Libertarian or Limited?" (1988), Professors Wm. David Sloan and Thomas Schwartz note that a "failure to agree on terms appears to be one of the essential reasons for a large portion of the arguments among historians" over the meaning of freedom of the press.[10] This lack of agreement over the meaning of the terms, such as "libertarian," "liberty," and "freedom," is central to the study of freedom of the press. These concepts are historically bound and can only be fully understood if placed in historical context.

How should the researcher go about determining the meaning of such concepts? Levy, in *Emergence of a Free Press* (1985), identified three kinds of evidence relevant to defining the meaning of freedom of the press in a historical period: articulated theories of freedom of the press, existing laws giving government the authority to restrain the press, and evidence of press practices. He found that the law and theory of freedom of the press in the late 1700s do not support the liberal interpretation of original intent and that law and freedom were in conflict with the practice of freedom of the press.[11] Teeter argued that Levy overemphasized the law at the expense of practice.[12]

If freedom of the press is conceptualized as a legal right, as Levy would have it, then the paradox posed is not the incompatibility of liberal practice and illiberal laws and theory. The paradox is the apparent *compatibility* in eighteenth and nineteenth century society of laws and practices which are incompatible with twentieth-century views of freedom of the press.

For example, nineteenth-century courts held broad power to punish criticism of the courts yet newspapers vigorously attacked judges and courts on news and editorial pages. If historians examine the legal doctrine of contempt, little freedom seems to have existed; but if they examine the practice of the press, the press appears to have been free. How can this perceived contradiction be resolved?

The history of freedom of the press *is* legal history, which is to say that the history of freedom of the press cannot be studied without paying attention to the law of freedom of the press. This does not limit

[10]Sloan and Schwartz (1988), 176.

[11]*Emergence of a Free Press* (New York, 1985), x-xvi

[12]Bk. rv. "From Revision of Orthodoxy," *Reviews in American History* (December 1985), 522.

the historian to the study of doctrine. The history of freedom of the press is more than a weary list of court decisions."[13]

Clearly what is called for is a recognition that freedom of the press in any historical period is not solely a question of legal doctrine and theory, press practices, or the level of public tolerance of dissident speech. An integrated approach is required.

Free-press historiography, with the notable exception of the work of Levy and the "Wisconsin school" on original intent, is just beginning to reflect the ferment in the field of history. Few free-press histories move beyond a focus on the First Amendment doctrine to look at the interplay of social, economic, political, cultural, and institutional forces that shape that doctrine. Great opportunity exists in every period from 1800 to the present.

The meaning of freedom of the press is a complex question about the nature of law in society and the understanding of concepts such as "freedom," "press," and "rights" in a specific historical period. Professor Harry Kalven, in *A Worthy Tradition* (1988), termed it a "tradition" of freedom. Freedom of speech, he said, has a "charisma" which must be explored if the law is to be understood. Jamie Kalven's explanation of his father's view highlights the richness and importance of the history of freedom of the press. He wrote:

> If it is a tradition we are talking about and not simply a body of law, then the requirements of exposition are somewhat different: a matter of evocation as well as analysis, of narrative as well as logic. The objective is not simply to restate the most current answers to the issues the Court has encountered. It is to give a full account of the dialogue out of which they have emerged. In order to grasp the moral, one needs to know the story.[14]

The literature of freedom of the press since 1800 just begins to tell the story of freedom of the press. This essay discusses first the historiography of freedom of the press in the nineteenth century, then the pre-*Schenck* developments of the late nineteenth and early twentieth centuries, followed by the large body of literature on *Schenck* and the World War I period. Finally, it examines the free press historiography from the 1930s forward.

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[13]Norman H. Sims, bk. rv. Hentoff, *The First Freedom* (New York, 1980) in *Journalism History* 7 (1980), 76.

[14]*A Worthy Tradition: Freedom of Speech in America* (New York, 1988), xx. Professor Kalven died in 1974. Jamie Kalven, his son, edited the unfinished manuscript for publication.

Freedom of the Press in the Nineteenth Century

In "Filling in the Void: Speech and Press in State Courts Prior to Gitlow" (1982), Margaret A. Blanchard wrote, "Most journalism historians, as well as most legal historians, believe that there was no activity of any consequence on speech and press issues in all American history prior to the early twentieth century -- except, of course, the trial of John Peter Zenger, the ratification of the First Amendment, and the experiment with the Alien and Sedition Acts of 1798."[15] Blanchard presented a census of more than 270 cases concerning the free press issues in state appellate courts prior to 1925. She demonstrated that freedom of the press was an issue in the courts during the nineteenth century.

However, few nineteenth-century authors wrote about freedom of the press. Except for doctrinal treatments found in the treaties of judges and treatise writers such as Joseph Story, Thomas Cooley, and Thomas Starkie, there appears to be little literature concerning freedom of the press in the nineteenth century.[16]

Freedom of the press was seen as a question of libel law. While some writers called for changes in the common law by either judicial or legislative means, the consensus was that (1) the First Amendment and state constitutional guarantees of freedom of the press did not create any rights not already protected under the common law of libel, and (2) the common law provided adequate protection for the freedom of the press.

Freedom of the press was a component of liberty in the nineteenth century, but it was a common law, not a constitutional question, and it was honored more in the abstract than the concrete. Mark Twain commented that "The American people enjoy three great blessings -- free speech, free press and the good sense not to use either."[17] Twain's observation captured a sense of nineteenth-century thinking about freedom of the press prior to the last decades of the century. Legal historian J. Willard Hurst in *Law and the Conditions of Freedom in the Nineteenth Century* (1956) described the century as one in which Americans exalted liberty in the abstract but let nothing get in the way of economic expansion. Freedom of the press was part of every American's birth right, but economic liberty was paramount.[18] John Roche, in "Civil Liberty in the

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[15]In Bill F. Chamberlain and Charlene J. Brown, eds. *The First Amendment Reconsidered* (New York, 1982), 14.

[16]Timothy W. Gleason, "19th-Century Legal Practice and Freedom of the Press: An Introduction to Unfamiliar Terrain," *Journalism History* 14 (Spring 1987), 26-33.

[17]Quoted in Paul L. Murphy, *The Meaning of Freedom of Speech: First Amendment Freedoms From Wilson to FDR* (Westport, Conn.,1972), 15.

[18]J. Willard Hurst, *Law and the Conditions of Freedom in the Nineteenth Century* (Madison, Wis., 1956).

Age of Enterprise" (1963), a study of civil liberties in the nineteenth century, found that rights were defined in "essentially majoritarian fashion as safeguards against oppressive governmental action."[19] It should not be surprising that freedom of the press was not the subject of more historical interest.

In the later part of the century the newspaper industry became concerned about the state of libel law. Frederic Hudson, in *Journalism in the United States from 1690 to 1872* (published in 1873), suggested some dissatisfaction with the state of freedom of the press in his chapter on "The Law of Libel." He wrote:

> The freedom of the press has been of slow growth if we take the records of our courts as any indication, for the same ruling was adopted in a case of libel in the Supreme Court of New York in 1803 under the Republic, as in 1735 in the same state under a monarchy, and the same ruling has been held in other courts.[20]

In 1906, Clyde A. Duniway devoted a chapter of *The Development of Freedom of the Press in Massachusetts* to the early nineteenth century. His claim that the passage of a state libel law in 1827 "marked the removal of the last substantial legal restriction upon the freedom of the press in Massachusetts, so that there could be no doubt that in the commonwealth in 1827 that the press was free,"[21] is representative of the dominant view of freedom of the press in the nineteenth century. Federal and state constitutional guarantees had secured the freedom of the press as defined by the common law.

In the early decades of the twentieth century, debate over the limits of freedom of the press heightened, and advocates of conflicting views of the right used nineteenth-century case law as part of their arguments. Writers such as Henry Schofield in "Freedom of the Press in the United States" (1914), Samuel A. Dawson in *Freedom of the Press* (1924), Leon Whipple in *The Story of Civil Liberty in the United States* (1927), and Theodore Schroeder in *Free Speech for Radicals* (1916) argued for greater protection of public discussion. These authors were selective in the use of nineteenth-century precedent since the bulk of the case law did not support the liberal tradition these authors wanted to establish. However, this body of literature is important both for the case law cited and for the window it opens into the free-press

[19] *University of Chicago Law Review* 31 (1963), 103-104.

[20] *Journalism in the United States from 1690 to 1872* (1873 rpt. New York, 1968), 741.

[21] *The Development of Freedom of the Press in Massachusetts* (New York, 1906), 160.

debate of the early twentieth century.[22]

From the early decades of this century until the 1980s, the nineteenth century all but disappeared from the map of free press legal history except for a few studies of press freedoms during the abolition and Civil War periods. Russell B. Nye's *Fettered Freedom* (1949) developed a link between the abolitionists and their use of the strong American tradition for freedom of the press to strengthen the anti-slavery cause. Nye and writers who looked at Civil War censorship of news -- for example, James G. Randall, "The Newspaper Problem in Its Bearing upon Military Secrecy" (1918); Quintus C. Wilson, "Voluntary Press Censorship During the Civil War" (1942); and Craig Tenney, "To Suppress or Not to Suppress: Abraham Lincoln and the Chicago Times" (1981) -- made the important point that the use of governmental power to suppress the press was influenced by public opinion. However, the abolition and Civil War experience did not have a significant impact on the law of freedom of the press.[23]

Before the 1980s, only one book, Clifton D. Lawhorne's *Defamation and Public Officials* (1971), provided an extended treatment of nineteenth-century libel law. It devoted a major portion of an extended history of libel to the nineteenth-century common law development of the right to criticize public officials. Lawhorne, whose scholarship is a good example of the dominant evolutionary, libertarian view of the history of freedom of the press, concluded that "from the settlement of New England colonies until the present, the laws of libeling public officials have been narrowed consistently as the people's right to know about their government and to discuss their governors has been broadened."[24]

In *Protecting the Best Men* (1986), Norman L. Rosenburg provided a revisionist interpretation of nineteenth-century libel law while covering much of the same ground as Lawhorne. He presented libel as "the politics of reputation" and the "legal manifestation of fundamental battles over the nature of social and political power relationships in United States history." Where Lawhorne found evolution, Rosenburg found libel law to have been "a prominent instrument [wielded by

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[22]Henry Schofield, *American Sociological Society: Papers and Proceedings* (1914), 67-116; Samuel A. Dawson, "Freedom of the Press" 1924, rpt (Littleton, Colo., 1982); Leon Whipple, *The Story of Civil Liberty in the United States* (New York, 1927); Theodore Schroeder, *Free Speech for Radicals* (New York, 1916).

[23]Russell B. Nye *Fettered Freedom: Civil Liberties and the Slave Controversy* (East Lansing, 1949); James G. Randall, *American Historical Review* 23 (January 1918) 303-323; Quintus C. Wilson, *Journalism Quarterly* 19 (1942), 251-261; Craig Tenney, *Civil War History* 27 (September 1981) 248-259.

[24]Clifton O. Lawhorne, *Defamation and Public Officials* (Carbondale, 1971), 265.

power elites] in social-political struggles."[25] Rosenburg showed that libel cannot be explained in evolutionary terms. The elegant complexities of common law libel must be examined as part of a larger political and social context in which doctrine provides a starting point for analysis of the law but cannot provide complete understanding of freedom of the press.

The Watchdog Concept of Freedom of the Press (1986) is another recent discussion of nineteenth-century libel litigation and contempt litigation. The author found that nineteenth-century common law of libel is a source for the concept of the institutional press as a public watchdog.[26]

The First Amendment Before Schenck, 1880-1917

The traditional view is that the modern constitutional history of freedom of the press began with the radical speech cases of 1919. Recent scholarship shows the error of the view. In "The First Amendment in Its Forgotten Years" (1981), David M. Rabban presented the first detailed treatment of First Amendment cases decided by the Supreme Court prior to *Schenck v. United States* (1919). He found "hints" of protection of freedom of speech and press in late nineteenth and early twentieth century First Amendment court decisions in cases concerning labor speech, anarchist speech, the use of the mails, and state prior restraint statutes. However, Rabban concluded that the cases "continued an established pattern of hostility to First Amendment concerns."[27]

But as Rabban stated, the unfriendly case law is only one part of the pre-Schenck debate. Rabban documented the importance of writers, such as Henry Schofield, Ernst Freund, Thomas Cooley, and Theodore Schroeder, who fashioned arguments for a new liberal tradition of freedom of the press. Rabban saw this effort as critical preparation of the intellectual foundation of the twentieth-century concept of freedom of the press.

Rabban made a strong case for the importance of the pre-*Schenck* years in terms of legal doctrine and intellectual history. This is part of the picture, but Alexis J. Anderson, in "The Formative Period of First of Amendment Theory, 1870-1915," showed that "minority dissidents... confronting the public with their free speech concerns...were instrumental in hammering out the principles behind a mature theory for

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[25]Rosenburg, *Protecting the Best Men* s, 8, 265.

[26]Timothy W. Gleason, "The Origins of the Watchdog Concept of Freedom of the Press: The Influence of Nineteenth Century Common Law" (diss. University of Washington, 1986); *The Watchdog Concept of Freedom of the Press* (Ames, Ia., in press).

[27]*Yale Law Journal* 90 (1981), 524.

protecting the free speech guarantee during the twentieth century."[28] The legal and academic discourse must be placed in social context.

In an extensive study of freedom of speech and press in the pre-*Schenck* period, Linda Cobb-Reiley used a "socio-legal" analysis of events and court cases to place the development of liberal free press values in the social, political, and economic context of the Progressive period (1901-1914)."[29]

The pre-*Schenck* period, like the nineteenth century, is an important part of the story of freedom of the press. Yet, until recent years it has been hidden in the shadow of what is traditionally viewed as the pivotal point in free press history.

The World War I Cases -- Clear and Present Danger

In 1920, Zechariah Chafee, a Harvard law professor, published *Freedom of Speech* (1920), the seminal twentieth-century work on the meaning of freedom of speech and press. It is as important to free press historiography for the history Chafee omitted as it is for the history he created. His argument for a liberal view of the intent of the framers of the First Amendment and the history of freedom of the press established the prism for forty years of historical analysis of freedom of the press. It stood unchallenged until Leonard Levy published *Legacy of Suppression* in 1960.

Freedom of Speech is important because it established a liberal interpretation of the clear and present danger test as the authoritative interpretation and because it made over one hundred years of free speech and press history irrelevant to the twentieth-century understanding of the meaning of freedom of the press. The book was an expansion of "Freedom of Speech in Wartime," an article published in *Harvard Law Review* in 1919, between the time the Supreme Court decided *United States v. Schenck, United States v. Frohwerk, and United States v. Debs* in March of 1919 and *United States v. Abrams* in the fall of 1919. Both the law review article and the book were in essence legal briefs written in support of the "clear and present danger" doctrine first used in 1919 by Supreme Court Justice Oliver Wendell Holmes. Donald L. Smith, in *Zechariah Chafee, Jr.*, a 1986 biography, described the book as being "aimed primarily at lawyers grappling with nebulous questions in the emerging field of First Amendment law....[It] quickly became their bible."[30] Chafee's legal brief presented a highly

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[28] *American Journal of Legal History* 24 (1980), 59.

[29] Linda Cobb-Reily, "The Meaning of Freedom of Speech and the Press in the Progressive Era," (diss., University of Utah, 1986).

[30] Zechariah Chafee, *Freedom of Speech* (Cambridge, Mass., 1920); "Freedom of Speech in Wartime" *Harvard Law Review* 32 (1919), 932-973. In 1941, a revised and updated edition of *Freedom of*

selective slice of free-speech history as the determinative historical evidence of the meaning of freedom of speech:

> Into the making of the constitutional conception of free speech have gone, not only men's bitter experience of the censorship and sedition persecutions before 1791, but also the subsequent development of the law of fair comment in civil defamation, and the philosophical speculations of John Stuart Mill.[31]

Chafee's version of free press history, Smith wrote, "de-emphasized a prewar tradition of judicial hostility toward speech -- perhaps dismissing it as a manifestation of irrationality in his eagerness to give the First Amendment a rational interpretation."[32]

Only in recent years have scholars challenged Chafee's interpretation of "clear and present danger." The traditional view of the development and evolution of Justice Holmes' clear and present danger test -- the view advocated by Chafee -- has been that (1) it was intended to establish a "liberal" protection of freedom of the press, and (2) Holmes was influenced to adopt a more sensitive view to freedom of the press between the deciding of *Schenck* in the spring of 1919 and his dissenting opinion in *Abrams* in the fall of the same year.

In attempting to explain Holmes' conversion, Harry Kalven, Gerald Gunther, and others focused on Holmes' correspondence with Judge Learned Hand and with Chafee. In addition, scholars looked to "The *Debs* Case and Freedom of Speech" (1919), an article by Ernst Freund published in the *New Republic*. Historians' assumption was that these three giants of American law convinced Holmes that his *Schenck* decision gave little protection to freedom of the press. While, as Douglas Ginsburg wrote in *The University of Chicago Law Review* in 1973, "it is both plausible and intriguing" to consider the influence of this intellectual discourse on the meaning of freedom of expression, a number of writers now challenge the claim that the clear and present danger test was a "liberal" construction.[33]

The revisionists expanded their field of inquiry beyond the 1919 cases and looked at Holmes' jurisprudence, his extra-judicial writings,

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Speech was published as *Free Speech in the United States*. Donald L. Smith, *Zechariah Chafee, Jr.* (Cambridge, 1986), 13.

[31]Chafee, *Freedom of Speech* (1920), 30.

[32]Smith, *Zechariah Chafee, Jr.* (Cambridge, 1986), 17.

[33]Gerald Gunther, "Learned Hand and the Origins of Modern First Amendment Doctrine: Some Fragments of History" *Stanford Law Review* 27 (1975), 719-773; Harry Kalven, Jr., "Ernest Freund and the First Amendment Tradition," *University of Chicago Law Review* 40 (1973), 235-242; Douglas Ginsburg, "Afterward" *University of Chicago Law Review* 40 (1973), 247.

and the history of the litigation which produced the clear and present danger test.

Yosal Rogat, in an article completed by James M. O'Fallon after Professor Rogat's death, analyzed Holmes' opinions in free-speech cases in the context of all of his civil rights opinions. Rogat found Holmes' jurisprudence to be "impoverished" and found little evidence in his other First Amendment opinions to support the claim that "clear and present danger" was intended to create a broader right of freedom of speech.[34]

Jeremy Cohen, in *Congress Shall Make No Law: Oliver Wendell Holmes, The First Amendment and Judicial Decision Making* (1988), took a different tack but reached a similar conclusion. Based on an analysis of Holmes' jurisprudence and of the arguments the appellants made to the Supreme Court, Cohen found that Holmes grounded the clear and present danger test in legal doctrines and practices not directly related to a liberal concept of freedom of the press. He decided the case within a jurisprudential framework, Cohen contended, which provided no special status for freedom of the press.[35]

Debunking the myth of Holmes as a liberal champion has become a standard practice. An important question is how Holmes gained the mantle of liberal. G. Edward White, in "Looking at Holmes in the Mirror" (1986), suggested his liberal reputation was created in the 1930s by a generation of jurists and scholars "because he was a 'liberal' as manifested in his role as the 'Great Dissenter,' because he had transcended the values of his class and was thus a humanitarian, and because he was a gifted prose stylist and a sophisticated 'adult' jurist." White's analysis of Holmes' dissent in *Abrams* demonstrated the rhetorical power of the dissent and the flawed logic of the opinion. White concluded: "In short, the eloquence of the *Abrams* dissent was primarily a distraction, a device to engage the reader emotionally about the value of free speech at a point in the opinion where Holmes was in deep water."[36]

The revisionist histories of Holmes and the clear and present danger test do not diminish the importance of the World War I cases in the development of the First Amendment. They do point out the importance of placing legal doctrine in historical context. Taken at face value, Holmes' opinions in *Schenck* and *Abrams* and Chafee's supporting scholarship create a history of freedom of the press that is far more

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[34]Yosal Rogat and James M. O'Fallon, "Mr. Justice Holmes: A Dissenting Opinion--The Speech Cases" *Stanford Law Review* (1984) 1349-1406.

[35]Jeremy Cohen, *Congress Shall Make No Law: Oliver Wendell Holmes, The First Amendment and Judicial Decision Making* (Ames, Ia.).

[36]G. Edward White, *Law and History Review* 4 (1986), 461-62, 459.

libertarian than the evidence will support.

The clear and present danger doctrine has attracted much of the attention of World War I free press historians. However, broader studies of World War I and post-War censorship have been written. James Mock's *Censorship 1917* (1941), Robert K. Murray's *Red Scare* (1955), and William Preston's *Aliens and Dissenters: Federal Suppression of Radicals 1903-1933* (1963) documented the suppression of speech in World War I and the post-war period. These studies emphasized different aspects of World War I and post-war censorship, but the general message was that this period in the history of freedom of the press in the United States represented the low point in protection of press freedoms.[37]

Stephan Vaughn, in *Holding Fast the Inner Lines*, a 1980 history of the Committee on Public Information during World War I, detailed the CPI's role as a censor. He suggested that state and federal censorship during and after World War I enjoyed broad public support. When World War I censorship is viewed within a broader historical and social framework, it becomes a policy that was consistent with the American public's view of the proper limits of free expression.[38]

Paul L. Murphy's *The Meaning of Freedom of Speech: First Amendment Freedoms from Wilson to FDR* (1972) is the only attempt to write a comprehensive history of freedom of expression that covers in detail the post-war period. Murphy refused to treat the law in isolation and, instead, explored events, public opinion, and the entire social process to describe the idea of liberty.[39] In *Fighting Faiths* (1987), Richard Polenburg presented a moving study of the defendants in *Abrams v. United States*. Jacob Abrams and his compatriots come alive and the abstraction of Holmes' dissent in *Abrams* takes on new meaning: inspiring, in that the defendants become more than names in a U.S. Reports headnote; and sobering, because Polenburg drives home the fact that, in spite of Holmes and Louis Brandeis, the defendants went to jail and lived their lives forever in exile. Simply put, the First Amendment did not work for Jacob Abrams *et al.*[40]

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[37]James Mock, *Censorship 1917* (Princeton, 1941); Robert K. Murray, *Red Scare* (Minneapolis, 1955); William Preston, *Aliens and Dissenters: Federal Suppression of Radicals 1903-1933* (Cambridge, 1963)

[38]Stephan Vaughn, *Holding Fast the Inner Lines* (Chapel Hill, 1980).

[39]Paul L. Murphy, *The Meaning of Freedom of Speech: First Amendment Freedoms from Wilson to FDR* (Westport, Conn., 1972).

[40]Richard Polenberg, *Fighting Faiths: The Abrams Case, The Supreme Court, and Free Speech* (New York, 1987).

Post-Schenck

Following the application of the speech and press clauses to the states through the Fourteenth Amendment in *Gitlow v. New York* (1925) and the first successful use of the First Amendment to bar prior restraint of a newspaper by a state in *Near v. Minnesota* (1931), the First Amendment became a frequently cited constitutional protection in constitutional law.

In 1974, Harry Kalven calculated that more than fifty per cent of all First Amendment cases had been decided since 1959. Holmes and Brandeis, the two justices whose First Amendment opinions are most frequently cited, participated in thirty-four First Amendment cases. Justice William Brennan, who joined the court in 1956, had, by 1974, participated in over 300 cases.[41] At the end of the 1988 term, Brennan's total probably approaches or exceeds 400. The result of all this litigation has been a broad expansion of the reach of the First Amendment in areas such as commercial speech, broadcast regulation, newsgathering, and obscenity. The doctrinal development of these areas of First Amendment law has been extensively charted and critiqued in the law review literature and surveys of First Amendment doctrine. However, the doctrinal developments have yet to be placed in context.

The Sweep of Constitutional Doctrine

Doctrinal histories of Supreme Court interpretation of freedom of the press constitute the largest body of free press historical writing. Some works, such as William A. Hachten's *The Supreme Court On Freedom of the Press* (1968), are casebooks edited for journalists and other non-lawyers in which case excerpts are supported by brief commentary explaining the importance of the cases.[42]

Arguably, casebooks are edited transcripts rather than historical interpretation, but the selection of cases and the commentary surrounding the cases provide an interpretation, not a transcript, of court decisions. When Hachten wrote that "most of the law we need to know about freedom of the press has been made since 1917,"[43] a statement repeated in most if not all the legal casebooks, he defined the history of freedom of the press as the history of Supreme Court adjudication of the speech and press clause. These popular casebooks (as distinguished from the casebooks intended for a law school audience) are, with few exceptions, compiled by unabashed advocates for freedom of the press. There is no pretense of distance or scholarly detachment from the

[41]Kalven, *A Worthy Tradition* (1988), xv.

[42]William A. Hachten, *The Supreme Court On Freedom of the Press* (Ames, Ia., 1968) .

[43]Ibid., 5-6.

historical data.

Authors have taken one of two approaches to court decisions following *Schenck*. They have either followed the evolution of doctrine in chronology or organized the case law by topic. For example, in *Freedom of Speech and Press in America* (1963), Edward G. Hudon moves from "Clear and Present Danger: Genesis, Gestation, and Eclipse," to "Decade of Flux," to "Resurgence of Clear and Present Danger," to "Start of a New Decade: Clear and Present Danger Circumscribed and Abridged." David S. Bogen, in *Bulwark of Liberty: The Court and the First Amendment* (1984), went from "The Origins of Freedom of Speech and Press," to "Clear and Present Danger," and then through the legal free speech doctrines used by courts into the early 1980s.[44] Regardless of minor organizational differences, all of the doctrinal casebooks have treated the history of freedom of the press as primarily, if not solely, a question of Supreme Court interpretation.

John Stevens' *Shaping the First Amendment* (1982) was one of the more creative casebooks. Stevens wrote an "impressionistic sketch of trends in the development of First Amendment law and theory."[45] His broadly written sketch went beyond doctrine and examined the influence of participants in major free press cases.

Post-Schenck: Context

The rise of the First Amendment in the twentieth century and the development of modern mass media would seem to create great opportunities for research in mass media history. Yet the body of literature is surprisingly small. The doctrinal development of constitutional free press law has been extensively charted and critiqued in the law review literature and surveys of First Amendment doctrine. However, the rest of the story is just beginning to be told.

Fred W. Friendly's *Minnesota Rag* (1981) gave readers a rich and well-crafted picture of the *Near v. Minnesota* litigation. It highlighted the role of Chicago *Tribune* publisher Col. Robert McCormick in the lonely battle he and scandal sheet publisher Jay M. Near waged to get this landmark case to the Supreme Court.[46] *Near* was the first battle fought by McCormick and other publishers as individuals and the American Newspaper Publishers Association in an ongoing campaign to create First Amendment protection for the newspaper industry during the 1930s and 1940s.

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[44]Edward G. Hudon, *Freedom of Speech and Press in America* (Washington, D.C., 1963); David S. Bogen, *Bulwark of Liberty: The Court and the First Amendment* (Port Washington, N.Y., 1984).

[45]John Stevens, *Shaping the First Amendment* (Beverly Hills, Calif., 1982).

[46]Fred W. Friendly, *Minnesota Rag* (New York, 1981).

J. Edward Gerald's *The Press and the Constitution, 1931-1947* (published in 1948) remains the only comprehensive effort to document this period. Gerald attempted to understand the First Amendment protection of freedom of the press created in *Near v. Minnesota* in a time when "the sharpest phases of the controversy over assuring freedom have been developed by government intervention in private affairs, on the theory that freedom is not a passive force but must be socially directed...."[47]

This intense legal conflict between the industry and Franklin D. Roosevelt's New Deal was discussed in Margaret Blanchard's "Freedom of the Press and the Newspaper Code: June 1933-February 1934" (1977) and in Tim Gleason's "Legal Advocacy and the First Amendment" (1986).[48]

In contrast to the intense attention given to World War I censorship, a relatively small body of historical literature addresses the Smith Act, passed in 1940, and World War II censorship. In "The Smith Act as a Restraint on the Press" (1969), Don R. Pember wrote, "There is no thorough history of the measure" although a number of "abstract and theoretical" discussions had been published.[49] Pember provided a brief history of the prosecution of twelve Communists under the Smith Act and warned of the danger of giving the government the power to punish radical speech. In *A Question of Sedition* (1986), Patrick S. Washburn wrote of the struggle within the Roosevelt administration over the use of the Smith Act to prosecute the black press during World War II. Washburn's detailed treatment of the political battles within the administration and Attorney General Francis Biddle's successful advocacy against prosecution distinguished the use of the Smith Act from the use of the Espionage Act in World War I. He showed that all wartime censorship was not the same. Specific conditions led to specific results; and, as Washburn demonstrated, it is dangerous to generalize from one war to the next. The history Washburn discovered in the thicket of government documents is complex and contains evidence of debate within the government over the meaning of freedom of the press among "libertarian" and "antilibertarian" factions in the government. At the same time, he confirmed the truth of Pember's warning that any law giving the government authority to suppress speech, no matter how dormant, presents a threat to press freedoms.[50]

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[47]J. Edward Gerald, *The Press and the Constitution, 1931-1947*, (Minneapolis, 1948), 4.

[48]Margaret Blanchard, *Journalism Quarterly* 54 (1977), 40-49; Timothy W. Gleason, "Legal Advocacy and the First Amendment: Elisha Hanson's Attempt to Create First Amendment Protection for the Business of the Press," *American Journalism* 3 (1986), 195-205.

[49]Don R. Pember, *Journalism Monograph* 10 (1969), 3.

[50]Patrick S. Washburn, *A Question of Sedition* (New York, 1986).

Libel law, a topic that has dominated discussion of media law in recent time, has generated its share of histories and first drafts of histories. Douglas Anderson published one of the few historical studies of libel law in any period that digs below the appellate level of case law and attempts to discover the effect of libel law on the practice of journalism. *A Washington Merry-Go Round of Libel Actions* (1980) examined Drew Pearson's response to 126 libel suits. Anderson concluded that as a result of mounting aggressive defenses and adapting newsgathering practices to fit shifting legal and industry norms, the "writers of the 'Merry-Go-Round' have been able to function effectively within the confines of the constantly evolving American libel law since the column's 1932 inception."[51] Anderson noted that *New York Times v. Sullivan* (1964) appears to have had little effect on the libel actions filed against the column, but it has changed Jack Anderson's (Pearson's successor) policy of checking sources and verifying information. This long view of the effect of libel on the practice of freedom of the press provides some context for reading more recent commentaries on libel law since 1964. Books such as *A Chilling Effect* (1987), *Suing the Press* (1986), and *Reckless Disregard* (1986) document the failure of *Sullivan* to create the protection desired by the press or to protect the reputation of plaintiffs, yet Anderson's history of two of the extreme muckrakers in the business indicates that the problem may not be as severe as some of the legal commentary and appellate court records suggest.[52]

James L. Baughman's *Television's Guardians* (1985) is a regulatory history of the FCC and programming policy between 1958 and 1967, and Lucas A. Powe's *American Broadcasting and the First Amendment* (1987) provides an economic history of broadcast regulation. Powe attempted to refute the regulatory theory posited by Lee C. Bollinger in "Toward a Theory of Partial Regulation of the Mass Media" (1976). As a result, his history and economic analysis were selective, but he presented a provocative history which challenges much of the conventional wisdom about broadcast regulation and the First Amendment.[53]

Don R. Pember's *Privacy And The Press* (1972) traced this area of law from its common law roots in nineteenth-century America to the 1960s. Pember drew out the conflict between freedom of the press and the right to be left alone and placed in social context the development

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[51]Douglas A. Anderson, *A Washington Merry-Go Round of Libel Actions* (Chicago, 1980), 255.

[52]Lois G. Forer, *A Chilling Effect* (New York, 1987); Rodney A. Smolla, *Suing the Press* (New York, 1986); Renata Adler, *Reckless Disregard* (New York, 1986).

[53]James L. Baughman, *Television's Guardians* (Knoxville, Tenn, 1985); Lucas A. Powe, *American Broadcasting and the First Amendment* (Berkeley, 1987); Lee C. Bollinger, *Michigan Law Review* 75 (1976), 1.

of legal doctrine which attempts to resolve the conflict.[54]

Conclusion

The meaning of freedom of the press is one of the most important questions facing historians attempting to make sense of journalism or communication history in the United States. Michael Schudson recently observed that "journalists...believe today's press earned its democratic spurs not by selling lots of copies cheaply but by criticizing government authority boldly."[55] The same assumption is true for much of the historiography of freedom of the press since the end of the eighteenth century. This view of freedom of the press as an evolutionary doctrine championed by liberal crusaders fighting oppressive governments has some value; and while the history of freedom of the press is, in part, "a story of suppression of political ideas,"[56] this view of history provides an incomplete and ultimately inadequate understanding of freedom of the press. Recent historical approaches and methods that establish a broader social, political, or economic context hint at the rich opportunity for research on the meaning of freedom of the press.

Legal doctrine in isolation is an inadequate means for the study of mass media law. Libel, commercial speech, privacy, access to media, and a host of other issues contain conflicting theory and doctrine. One task of the historian is to provide a meaningful past that will help us understand the present. If we are to make sense of freedom of the press, we must place free press doctrine in its history.

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[54]Don R. Pember, *Privacy and the Press* (Seattle, 1972).

[55]Michael Schudson, "A Revolution in Historiography?" *Critical Studies in Mass Communication* 4 (1987), 405.

[56]Pember, "The Smith Act as a Restraint of the Press," 1.

BOOK REVIEWS

Review Essay

Network Insiders Look at CBS

by Michael Murray

Who Killed CBS? The Undoing of America's Number One News Network. By Peter J. Boyer. New York: Random House, 1988; pp. 361. $18.95.

Prime Times, Bad Times: A Personal Drama of Network Television. By Ed Joyce. New York: Doubleday, 1988; pp. 561. $19.95.

In the Storm of the Eye: A Lifetime at CBS. By Bill Leonard. New York: G.P. Putnam's Sons, 1987; pp. 302. $17.95.

Bad News at Black Rock: The Sell-Out of CBS News. By Peter McCabe. New York: Arbor House, 1987; pp. 384. $19.95.

Empire: William S. Paley and the Making of CBS. By Lewis J. Paper. New York: St. Martins Press, 1987; pp. 384. $19.95.

This. . . Is CBS: A Chronicle of 60 Years. By Robert Slater. Englewood Cliffs, N.J.: Prentice-Hall, 1988; pp. 354. $19.95.

Commenting a decade ago on the publication of Gary Gate's *Air Time: The Inside Story of CBS News,* this reviewer said that the Columbia Broadcasting System was becoming one of the best documented big businesses in America (*Journal of Communication,* Summer, 1979). At that time, a general history by Robert Metz and personal reminiscences by Fred Friendly, Dan Rather, Daniel Schorr and William S. Paley, plus Alexander Kendrick's well-known biography of Edward R. Murrow, comprised the bulk of work on that company. The current collection casts further light on CBS and heavily reinforces that obvious claim.

Four of these new books provide not only an update on CBS activity but offer detailed insider accounts. With the exception of Slater's summary history of sixty years of CBS and Lewis Paper's biography of its founder, William S. Paley, these books are geared toward recent developments, and two are written by former CBS News presidents. Only Slater's chronicle makes substantial mention of previous books

about the network. Boyer, it is true, refers once to Gary Gate's earlier work, in his *Who Killed CBS?* and points out that among the more than 300 names in the index of Gate's work, one cannot even find the name of Howard Stringer, who was CBS News president when Boyer was writing his work, because Stringer was a "very minor player" (Boyer, 167). And to indicate further the pace of turnover at CBS, Stringer too has been replaced as head of the news division since the publication of Boyer's book. (Boyer, incidentally, moved from his job as the CBS Morning News media critic to televison correspondent for the *New York Times*..) These facts demonstrate how an institution which had changed little in its philosophy and leadership during a half-century of control by Paley was altered irreparably after his initial departure from the network.

All of the books pay some tribute to the early myths associated with CBS, which its staff once regarded as the broadcast equivalent to *The New York Times*. These books add to that mythmaking but they supply more villains than heroes. Reading them in tandem, one is struck first by the remarkable similarity of content in key areas. This should come as no surprise considering the personalities involved. They include accounts of Van Gordon Sauter's performance as CBS News President, the influence of talent agent Richard Leibner, efforts to boost the CBS Morning News show, and a phenomenon known as the "Full Rothenberg" treatment. This is an account of Associated Press reporter Fred Rothenberg's profile of Dan Rather, which indentified the anchorman as key decision-maker in all CBS News matters, large and small, to the obvious chagrin of some of his associates. The Rothenberg interview, cited by Boyer and Joyce, portrayed Rather as doing an out-of-character, "one-man whirligig" managing editor routine in an attempt to impress the visiting reporter.

The heavies in this CBS tale of intrigue are almost universally agreed upon except, as one might expect, in those instances in which the author was a participant. And even then, these works tend to be surprisingly frank. Two of the writers, Ed Joyce and Bill Leonard, were former CBS News Presidents and their accounts are by far the most entertaining. Joyce's lethal anecdotes concerning key players are brutally candid and Leonard's opening inside story of the negotiations over Dan Rather's record-breaking contract runs a close second when in interest -- particularly in light of the internal criticism Leonard received in the aftermath of that deal.

In two of the books a single event is selected to represent the ultimate demise of CBS News. Both Peter Boyer and Joyce identify the funeral gathering for Charles Collingwood as the event signalling the end of a great era. Although not in attendance, Joyce's counterpart -- and, for most of their time at CBS News -- closest friend, Van Gordon Sauter, is at the center of most discussions of change in direction for the

network. Sauter's background as a wunderkind of broadcast news is thoroughly reviewed (Boyer, 24-39) as well as his penchant for what he termed the "moments" theory of news, consisting of heart-tugging stories which many at the network feared would replace serious news with entertainment values.

Sauter's conflict with Bill Moyers, described by Boyer as "P.T. Barnum meets Elmer Gantry"is symptomatic of the problems the CBS boss encounters in trying to sustain ratings during talent raids and a period of retrenchment. In the eyes of management, the era of news as the "spoiled child" of CBS was ending and Sauter was identified as the person to guide the transition of network level news as a money-making proposition. After all, it was a CBS News program, "60 Minutes," which demonstrated that news and public affairs programming could be both profitable and work for the public good. Unfortunately, Sauter's term began on the heels of major internal and external conflict for CBS, including conservative challenges in court, on Wall Street, and at the negotiating table. Internally, there were major philosophical differences, among other things, which resulted in the hiring of Phyllis George as host of the "Morning News." George's shortcomings and major gaffes are detailed.

In many instances, Boyer soundly rebukes staff members for their attempts to resurrect the memory, or even worse, take on the trappings of some CBS heroes of yesteryear, mostly Murrow and Cronkite. When asked how the tradition and news standards of CBS affected performance, a prominent producer, Susan Winston, is quoted as saying: "It works for you and against you . . . For you, in that in this marvelous institution is a history that others don't have. Against you in that anytime you deviate from the norm the perception is you're deviating from the institution. They don't like change very much." (Boyer, 289).

Marketplace conditions demanded change and Boyer does an excellent job of detailing those changes near the end of his book. He also describes the efforts by Lawrence Tisch to enter the picture. Losing money was an unimaginable circumstance and one CBS found particularly hard to take. Tisch's overtures offered what appeared to be a hospitable alternative to dire economic straits. Like most of the authors, Boyer concludes that entertainment values beat out news at CBS or, as he puts it, "In the end Van Sauter had won." (Boyer, 345.) Interestingly, even as the Boyer book was being written, the insider's account by Sauter's partner, Ed Joyce, was anticipated and feared by some at CBS News. Boyer even makes reference to Joyce's "future book" and at one point he acknowledges an attempt by Sauter to obtain a "muzzle agreement" (Boyer, 280) preventing Joyce from writing or talking about CBS later on. Obviously, this effort failed and Joyce's *Prime Time, Bad Times* is testament to why such extreme measures were even considered.

Joyce tells all in what is, by far, the most candid and revealing

account of network decision-making written to date, and one in which no one among the high-profile, high-energy news staff of CBS News is spared. Understandably, the author gets carried away from time to time, as he does when he characterizes Edward R. Murrow as the individual who single-handedly invented broadcast journalism. (Joyce, Introduction, x) The man Joyce replaced as president of CBS News, Bill Leonard, does a much more balanced but less interesting job of introducing the influence of Edward Klauber and Paul White in building the news effort at CBS, at the start of his book. This omission aside, Joyce does a thorough job of offering insight into changes at CBS and is much less amicable than his predecessor in detailing developments in the news division.

Joyce is merciless in describing efforts to enchance Dan Rather's popularity by improving the look of the evening newscast and in Van Gordon Sauter's attempts at manipulation of the print media for his own ends. He does the most perceptive and interesting job of aiding our understanding of how CBS' fiscal position lead to radical cut-backs. He points out, for example, the increasing role of talent agents in effecting decision-making regarding personnel at the network. The result was that 20 percent of the people under contract at CBS News were earning more than half of the talent payroll -- a predicament Joyce inherited from his predecessor, Bill Leonard. These problems are outlined in Leonard's book *In the Eye of the Storm* but in much less dramatic style, with few negatives.

On the other hand, Leonard left CBS before many of the serious challenges came to fruition. The Vietnam documentary, "The Uncounted Enemy" was produced while Leonard was in charge of the news division but the subsequent lawsuit and attack on CBS News from conservative forces came later. Similarly, the negotiation of Walter Cronkite's successor, Dan Rather, was handled by Leonard but the fallout over Rather's salary and other escalating "talent" fees were problems Joyce and Sauter had to handle.

Another interesting comparison is that while Joyce spent most of his career in local broadcasting, managing CBS stations in New York, Chicago, and Los Angeles, Leonard devoted his efforts primarily to national broadcasting and is able to offer some insights into major historical events. Leonard is one of the few top executive managers to have spent a considerable amount of time as an active correspondent, and, although his book is less than half the length of Joyce's, he is still able to provide insight into some key broadcasts. Of course his experience in front of the mike and camera color his account of network operations. His pre-management days included stints as radio reporter, celebrity interviewer and producer-director. As a young man he quite literally "did it all" for CBS and his efforts were recognized and rewarded. Personal reminiscences of historic figures such as Dwight

Eisenhower and experiences as CBS' Washington lobbyist later on, color his judgments.

Leonard recalls being asked by Jimmy Carter on one occasion to kill a segment of "60 Minutes" dealing with the Iranian hostages. Leonard carefully studied the request to assure himself that the report would not compromise national security and, to his credit, he did not use the occasion to exploit the President's attempt which might have provided additional national attention to the series. This example is characteristic of Leonard and his tenure as CBS News President -- loyal and low-key, quite a contrast to some others.

The last of the books to focus exclusively on changes at CBS, *Bad News at Black Rock*, was written by former *Rolling Stone* editor Pete McCabe, who went to work at the "CBS Morning News" in 1985. McCabe is interesting and somewhat unique in that he had no previous broadcasting experience when he was assigned to that troubled program. Because of his association with a single production, he is able to present the reader with a microcosm of the network and something of a harbinger of things to come -- a perennial ratings disaster and the division's biggest money loser. The fact that McCabe had not previously worked in television adds yet another dimension to his tale of life in "the fishbowl," home to over fifty "Players" around whom the drama unfolds, listed at the start of the book.

Under those listed as "Morning News" anchors at the beginning, McCabe notes, are Bill Kurtis/Phyllis George, January 1985-June 1985. The next credit reads Phyllis George/Forrest Sawyer, July 1985-August 1985. The change shows the network's decision to restructure its morning program around George, who was known primarily as a show-business personality, and her problems in coping with real news work once again become the focus. This section is followed by an account of the infamous Rather contract negotiations and the rise of Sauter and Ed Joyce, before reverting to a short history of the morning program and a comparison to the ever popular "Today" of NBC, its rival.

McCabe also discusses his own experiences -- interviewing with Howard Stringer the day after General Westmoreland had fought and abandoned his last legal battle with CBS, learning the ropes, meeting the people responsible for the program, and getting his first assignment as planning editor. He adapts quickly to life in "the fishbowl," the glassed-in area of the newsroom where the senior staff and guest bookers are headquartered, and describes his initial encounters with Jon Katz, executive producer, and former managing editor of the *Dallas Times-Herald*, and Phyllis George. His description of the production process -- how guests are booked and production packages prepared and organized -- makes interesting reading, at least as interesting as McCabe's chronicle of Phyllis George's stint as host. He explains how and why she was selected for the program and follows it with a string of on-

camera embarrassments culminating in the infamous interview in which George invited an embrace between a convicted rapist, Gary Dotson, and his alleged victim, Cathy Webb.

The press fall-out over "The Hug," threats to change the anchor line-up once again, and media coverage of the "Morning News" in general became so great that one producer suggested that Boyer, then the show's media critic, report aggressively on the newspaper press as a means of addressing the abundance of print criticism the show received. This, of course, resulted in Boyer's resignation and a return to the *New York Times* as TV Columnist -- an event that McCabe says caused considerable panic with network management.

McCabe spends a great deal of time decrying the encroachment of entertainment values and says he was accused by network colleagues of sounding like one of "Murrow's ghosts," (McCabe, 168) a term used to disparage anyone caught attempting to mediate battles between the "Morning Show's" three female anchors just before the surfacing of reports on the replacement of Phyllis George and ominous layoffs and cost-cutting measures at the news division. Overall, since McCabe's experience is based almost entirely at one program, it appears symbolic of lost causes.

McCabe's story fits in nicely with the rest of what has been written about the collapse of CBS News. It especially complements Boyer's book since both authors were television novices and outsiders who briefly gained access to power, just as CBS was on the brink of disaster. Is it an odd coincidence? Once cannot help but wonder whether open access did not help contribute to the demise of the organization -- particularly since the newspaper accounts of so much of the internal fighting were based on anonymous sources, part and parcel of the network's problems. The "Epilogue" to *Bad News at Black Rock* provides an update on the activity of fourteen of the principal characters from the book with the last entry on Ed Joyce: "living in Connecticut and writing a book about his career at CBS. [Gene] Jankowski had taken him to lunch in an effort to talk him out of doing the book, but Joyce insisted he was going ahead with it." (McCabe, 302) It is as if, even though McCabe's was the first book to be published, he already anticipated that Joyce's work would be the best of the bunch by a CBS staffer.

The final two books are much more traditional and academic in tone. They provide general histories of CBS although the first is offered under the guise of a biography of William S. Paley. The author, Lewis J. Paper, makes his claim to insider status as a former FCC associate general counsel. *Empire* covers key negotiations to acquire and build the network plus comparisons to its rival, NBC. Paley's personal background and his friendships with Averill Harriman and David O. Selznick are included in the first section, as well as coverage of a personal tragedy -- a love affair which ends in suicide. We discover early

on that Paley tends not to own up to his shortcomings and presents something of a challenge to the historian by disputing basic facts.

The book pays homage to CBS News including Paley's early personal interest and fight to preserve balance. This section is followed by an account of his relations with the FCC and the transition period during which television began to dominate his attention. Marriage to "Babe" Cushing leads to accusations that he is attempting to enhance his social standing while increasing his influence in Washington politics. His friendship with Dwight Eisenhower and the critical *See It Now* broadcast on Senator Joe McCarthy are presented alongside a discussion of relations with star performers, Jackie Gleason and Lucille Ball. Much of the rest of the book is devoted to the rise and fall of various subordinates: Fred Friendly, Richard Salant, Mike Burke, Jack Schneider, Art Taylor, John Backe, Tom Wyman, with a heavy emphasis on Frank Stanton, second in command to Paley.

Paley is described as a manager who kept himself advised of developments but saw to it that he was absent from of the unpleasant tasks, such as removing an executive from the ranks: "He had never liked personal confrontations and had made sure there was someone like Stanton to step into the breach." (Paper, 209) Paper points out that in spite of his reluctance to associate with the network's most unsavory chores, Paley is, no doubt, concerned about public perception of his role and the history of CBS. Of special interest is Paper's description of talks between Paley and historian Martin Mayer, who was recruited to write a short company history to offset the influence of David Halberstam's book, *The Powers That Be*. Mayer, who later excused himself from the project, was perplexed by Paley's unique interpretation of events and the importance of his role in them, not to mention his obsession with Halberstam's book even before it was published. (Paper, 301-303, 314-315).

The last two chapters, entitled "Frustration" and "Retirement," sum up conditions which challenged the declining position of the network over which Paley had come to have little control. The emergence of Lawrence Tisch, Paley's support of his acquisition, and the chairman's triumphant return conclude the last chapter. The Epilogue describes a meeting the author had with Paley, reinforcing a concern about the nature of the research about him and his company. And in a four page "Author's Note," Paper explains why he does not feel qualified to offer psychological conclusions about his subject. He also provides a description of his major source material. But without footnotes the book is of limited use to the historical scholar. Along these lines, it seems unusual for an author to take such pains in preparing a manuscript -- conducting 75 personal interviews and visiting every major collection and library of any significance associated with the topic but offering the reader a bibliography consisting of only a few more than forty

entries.

The author uses many anonymous sources, which is a weakness, but explains that many interviewees often asked not to be identified. Another flaw is that the book leaves major elements of its subject's life unexamined or unexplained. We learn of Paley's obsession with food and his early reputation as a womanizer but little of his relationship with his children and devotion to outside interests. Only one brief mention is made, for example, of his involvement with the Museum of Broadcasting. Paper fails to draw many conclusions about the CBS Chairman except the widely accepted views of his management style. This results in a rather weak and uneven portrait, consisting mostly of a rehash of key broadcasts and personnnel.

Similar conclusions could be drawn on the other general history of the network, *This . . . Is CBS* , by Robert Slater, although this work is most carefully documented. The objective of chronicling sixty years may appear overwhelming, but Slater has done it. A member of the reporting staff of the *Time Magazine* Jerusalem bureau, he does a commendable job of consulting major sources, particularly Eric Barnouw's work, and integrating other material from over a dozen interviews he conducted with CBS luminaries such as: Bud Benjamin, Douglas Edwards, Fred Friendly, Shad Northshield, Frank Stanton, and Av Westin. Slater also cites the Bill Leonard and Peter McCabe books. Significantly, the publishers tout Slater's book on the dust cover for objectivity amidst the "gossipy, scandal mongering, and self-serving books by CBS people."

Slater promises the first coherent "narrative history" of CBS' sixty years. Since his book leads all the way from the founding of the company to the firing of "Jimmy the Greek" Snyder and the Dan Rather-George Bush on-air confrontation, it would be hard to argue that this book is not up to date. But in spite of this fact, the author avoids the temptation to provide a "rise and fall" account by saying he lacked time to achieve historical perspective. The introductory section includes Paley's acquisition of the radio network and the deals he conducted to make it competitive. The chapter concludes with the story of Paley's near disastrous early efforts at self-promotion and of his consideration of retirement at age 35, mentioned often in the Paper book. Chapter Two shows Paley's abilities to woo and work with leading radio performers including Bing Crosby, before settling on the news and public affairs area. Slater does a thorough job of covering the contributions of Ed Klauber, Paul White, and the build-up of news.

The major names and important broadcasts are all presented. While Paper made only brief mention of the "War of the Worlds" broadcast in the context of Paley's life, Slater devotes seven pages to the event and public reaction to it. (Slater, 74-80) Orson Welles, Norman Corwin, and Douglas Edwards receive a fair share of attention as

do Murrow and his "boys." Interestingly, Slater enjoys giving the reader historical slices of life to show who was where at a particular time. For example, the section on the development of "Hear it Now" is followed by an accounting of the work of a young Texas college student at that time, Dan Rather. Slater also offers some anecdotes from Paley's time in service which Paper missed, before focusing on the famed talent raid on NBC and his relationship with early television performers -- once the switch to the visual medium was made. Generally, Slater's offering on CBS personalities are colorfully told and easy to read. A great deal of attention is paid to management types such as James Aubrey, but the creative reporters and correspondents get their due, with the reader coming away with a more balanced and interesting view of life at CBS.

The author goes to great lengths to describe fully the circumstances leading to the resignation of Fred Friendly, Murrow's former sidekick, from the CBS News presidency. He offers a balanced assessment of the circumstances, including arguments from Frank Stanton, Friendly's superior at the time, which are not covered in Friendly's own earlier work, *Due to Circumstances Beyond Our Control.* The Vietnam conflict and '68 Democratic Convention are carefully documented as well as more recent events in the life of the network: the Westmoreland case, overtures by Ted Turner, and the importing of new management personnel in the effort to save the network from disaster.

This . . . Is CBS starts to wind down at the point at which the other books considered here really got going -- the retirement of Walter Cronkite. And true to his word, Slater avoids making judgments about these recent events. Only brief mention is made Sauter, Joyce, or George. Of course, Joyce, Boyer, Leonard and McCabe have that territory thoroughly mapped out for future generations of broadcast historians.

Overall, there are few insights contained in *This . . . Is CBS* that are not well-represented in the literature, especially, Eric Barnouw's work and the two biographies of Murrow, but on balance, Slater has achieved the objective of offering a coherent and fairly comprehensive view of CBS in a format appealing to both specialists and the general public. Although the book contains some typos, students should find it useful as a resource or supplementary reading in a college course in journalism history.

In his biography of Paley, Lewis Paper quotes the CBS chairman as asking, right after reading a particularly scathing published report on company finances: "How do those guys get in the building?" (Paper, 341) In fact, as many of these books illustrate, the critics were not only inside the building but even occupied key management positions. This, is, perhaps, a broad indictment or, at least, an index of contemporary American business values but from which future historians will obviously be the beneficiary.

Do we have enough data and perspective to draw valid conclusions from all this material? Problably not, at least not now, but the books are still worth reading. They reinforce the view that *This . . . Is CBS* and the rest of the works reviewed here are not really CBS -- there are many CBS's depending on your experience and point of view. But these works provide us with a wealth of new material on which to build informed future judgments.

Carolyn Marvin. *When Old Technologies Were New: Thinking About Electric Communication in the Late Nineteenth Century.* New York: Oxford University Press, 1988. 269 pp. Notes. Index. Cloth, $34.50.

In approximately two decades at the end of the nineteenth century, the telephone, phonograph, electric light, motion pictures, and wireless telegraph were all invented. How this extraordinary range of new technology affected the American cultural imagination, including how it affected the experts themselves, the electric professionals, is the focus of Carolyn Marvin's study.

In her examination of this rich period in communication history, Marvin makes connections that are not simply the obvious ones. She draws inferences that are distinctive contributions not only to our understanding of some of the prototypes of twentieth-century mass media but also to our perception of the relationships between culture, new technologies and every level of communication, from intrapersonal to mass.

Marvin deliberately reaches back before the usual beginnings of institutional and mass-audience histories of twentieth-century electronic media to capture the "endless fascination and fear" generated by new electric media in their germinal stages. In this way, she seeks to examine issues much more fundamental than merely the development of the technologies themselves; rather, she seeks to analyze the complex ways in which those technologies and their introduction into the public realm disrupt and reinforce cultural hegemony. The locus of her consideration is, thus, the dynamic and dramatic realm in which "existing groups perpetually negotiate power, authority, representation, and knowledge with whatever resources are available."

In five densely written chapters, Marvin focuses successively on the way in which the "electricians" -- the experts in the case -- emerged and invented the new technologies; the threats and promises of electric technologies for the existing social order; the intimate scale of the human body itself as a communications medium and the relationships between it, nature, and electricity; the grander scale of public spectacle where electricity was used to "dazzle the multitude"; and the contributions of electrical technologies (through their annihilation of

space, time, and difference) to cultural homogenization.

Two new electric technologies in particular occupy Marvin's attention in this book: the electric light and the telephone. The former, as she notes, has rarely been discussed for its communication connections. But in a brilliant exposition of some late nineteenth century public spectacles, she demonstrates that most people first experienced the electric light through its democratizing public appearances and were exposed to various predictions about how the electric light would be used in the future to write messages projected on walls or across the sky.

One of the sections most directly related to mass communications is Marvin's thorough and very interesting discussion of two early experiments (the Telefon Hirmando in Budapest, Hungary, and the short-lived Telephone Herald in Newark, New Jersey) in the use of the telephone for transmitting regular news and entertainment programming to "large" audiences.

Although Marvin claims that the central players in the drama of technological diffusion were both the experts and various publics, she is more successful in elucidating the role of the experts than she is in demonstrating the admittedly more complex contexts of the public's responses to the new electric technologies. This may be due in part to the fact that, although she cites examples from the "popular" as well as the expert literature, many of the popular examples tend to be refracted through the prism of a professional perspective.

For example, when Marvin uses an illustration from the New York *Sun* or other urban newspapers and "popular" literature of the late nineteenth century, she often cites a professional trade journal (e.g., *Electrical Review, Electrician*) as her source, thus placing herself and her readers at least one further remove from the full context of the original report and jeopardizing her effort to provide readers with a clear understanding of public perceptions about the new technologies. In addition to this apparent failure to consider what biases might have led the editors of the professional trade journals to include various anecdotes from the "popular" literature, Marvin does not seem to have given serious consideration to what folklorists might call the urban legends among those popular reports, i.e., fantastic accounts which generate and perpetuate myths rather than contribute to an accurate perception of reality. Marvin does not explain her research methods; an explanation might well have enhanced the credibility of her work.

An associate professor in the Annenberg School of Communication at the University of Pennsylvania, Marvin has been examining the fundamental issues of this book for more than a decade. Many of the arguments and examples in the book -- including the electric sky-writing predictions and the telephone experiments mentioned above -- appeared, for example, in her doctoral dissertation, *The Electrical Imagination*, completed at the University of Illinois in 1979. But *When*

Old Technologies Were New is not a simple reworking of that earlier work and deepens our understanding of the many ways in which we walk backwards into the future.

Terry Hynes
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Curt Smith. *Voices of the Game: The First Full-Scale Overview of Baseball Broadcasting, 1921 to the Present.* South Bend, Ind.: Diamond, 1987, 554 pp. $22.95.

This is a wide-angle look at an admittedly narrow niche of journalism, baseball broadcasting, but it's also undoubtedly the definitive work in its limited field -- all 554 pages of it.

Author Curt Smith, a former magazine editor, speech writer for the Reagan administration, and radio and television columnist, obviously has done his homework. The result is a highly readable history of baseball broadcasting.

It all began on August 5, 1921, when a Westinghouse foreman named Harold Arlin, using a converted telephone as a microphone, broadcast a Pirates-Phillies game over Pittsburgh's KDKA, the nation's first radio station.

Arlin, who lived until he was 90, later said: "I was just a nobody, and our broadcast -- back then, at least -- wasn't that big a deal. Our guys at KDKA didn't even think that baseball would last on radio."

Later in 1921, Grantland Rice of the New York *Herald Tribune*, then perhaps the nation's top sports writer, broadcast a play-by-play account of the World Series between the New York Yankees and the New York Giants. Rice, the author notes, was terribly miscast as a baseball announcer.

Two years later, however, a former singer named Graham McNamee teamed with Rice to broadcast the 1923 World Series. McNamee was an instant success, and by 1925 and after another World Series broadcast, he received a staggering 50,000 fan letters.

McNamee was greatly admired; but like the abrasive Howard Cosell years later, he was disliked and envied by many sports writers. "I don't know which game to write about -- the one I saw or the one I heard Graham McNamee announce as I sat next to him," Ring Lardner wrote.

McNamee was the first in a long line of baseball broadcasters who captivated millions of fans with their vivid game descriptions. Red Barber, Mel Allen, Vin Scully, Harry Caray...the list goes on and on, and the author of this book pays homage to all.

Smith also deals with such oddities as the "re-creations" of base-

ball games by Gordon McLendon over the Liberty Broadcasting System from Dallas during the late 1940s and early 1950s. McLendon recreated games using Western Union summations that cost him $27.50 a game. He sold his broadcasts to 300 or more stations for $10 apiece, earning him about $3,000 a day.

James S. Featherston
Louisiana State University

William Rusher. *The Coming Battle For The Media: Curbing the Power of The Media Elite.* New York: William Morrow, 1988. 228 pp. $16.95.

William B. Rusher, erstwhile Wall Street lawyer and for some thirty years publisher of the *National Review,* has written a provocative analysis and criticism of the liberal-establishment media from the angle of the hard right. He argues that the "media elite" have been captured by the dominant liberal culture; that news reporters are heavily biased in a liberal direction; that the media propound a liberal political agenda in alliance with forces in the left-leaning Democratic party; that conservative issues are underplayed, distorted, or ignored; and that the occasional heterodox view is just so much tokenism. *The Coming Battle for the Media* is Vice President Agnew's November 13, 1969, speech in Des Moines, with twenty more years of evidence. Behind this book stand the animus of Patrick Buchanan and the strategic thinking of William F. Buckley, Jr.

According to Rusher, the media elite are composed of the two major wire services (AP and UPI), the three major television networks (ABC, NBC, and CBS), two news magazines (*Time* and *Newsweek*), and three newspapers (New York *Times*, Washington *Post*, and the *Wall Street Journal*). Outside of this select circle, he also targets the Public Broadcasting System, a third news magazine (*U.S. News and World Report*), and the new Cable News Network. This elite, Rusher insists, "hew wood and carry water for every imaginable liberal propaganda ploy"; they hide behind self-defined sanctuaries of Constitutional privilege "to shove such loads of biased bushwah down the throats of the American people. " He is angry at this "inherent lopsidedness" and enraged that conservative critics are treated with little more than "silent arrogance."

Concede to Rusher his media elite. The real issue, of course, is his contention of a liberal bias in news reporting. Chapters two through ten represent a systematic attempt, bordering on the tedious, to document and explain this claim. We are treated to some ten thematic examples of "tendentious" liberal reporting. They are followed by surveys of reporters, editors, and broadcasters, replete with content analyses and

counts of politically charged buzz words, purportedly documenting the "thoroughly unambiguous" proof of political liberalism within the media elite. Particularly pivotal is Rusher's use of the Lichter-Rothman findings and the 1985 survey by the Los Angeles *Times*. Also included are examples of dual career mobility between key individuals who alternately serve as media mavens and liberal apparatchiks, as well as suggestive findings from the conservative monitors *Newswatch* and Accuracy in Media. The inference that personal liberal values result in explicit liberal reporting is also "statistically" demonstrated, with the Clancy-Robinson study and the 1986 analysis by the Center for Media and Public Affairs interpreted to fit the Rusher thesis.

David Shaw, press critic of the Los Angeles *Times* and author of *Press Watch: A Provocative Look at How Newspapers Report the News*, in his review of Rusher's book in the New York *Times* not only concedes a media elite, but also accepts the liberal tag. This total acceptance may be too quick, since one could offer abundant "statistical" evidence of Republican or conservative editorial influence among the media elite, not to mention such visible players as the *Wall Street Journal* editor Robert Bartley, William Safire at the New York *Times*, the syndicated and baldly conservative *McLaughlin Group*, William F. Buckley's *Firing Line* on PBS, and George Will, prominent at once at ABC, *Newsweek*, and the Washington *Post*. But conservative stars, although recognized by Rusher, are dismissed as mere window dressing, and the Tory George Will is apparently apostate and excommunicate from "movement conservatism."

Rusher seems aware that American journalism has deep roots in the history of the formation of the American political party system -- that newspapers were often kept house organs. He recognized that in this century the media elite was a conservative monopoly, that their favorite sport was F. D. R. bashing. He also recognizes that critics on the left argue that the media elite are stooges of ruling class, pro-capitalist, and antisocialist hegemony. Rusher counters this logic by arguing that there has been a profound change in the relationship between ownership and reporting-editorial policy: the old right-wing conservative owners like Colonel Robert McCormick, Eugene Pulliam, Henry Luce, David Lawrence, William Randolph Hearst, and William Loeb are no longer with us and that their corporate successors, driven by a single-minded concern for bottom-line profit, adopt a "hands off" policy, allowing the media apparatus to pursue the liberal agenda. At the same time, he argues that family-owner dynasties in control of the New York *Times* and the Washington *Post* as well as the William Paley-Lawrence Tisch control of CBS, for example, are in "symbiotic relationship to the dominant liberal elements in American society." Print and broadcast journalism, drawing on the original muckraking impulse and steadily reinforced by prizes and status bestowed by the Nieman

Fellowships at Harvard University and the Pulitzers from Columbia University, Rusher says, have been seduced by the liberal *Zeitgeist*.

During the past twenty years, Rusher argues, the media elite have become flagrant and aggressive, insisting on their own autonomy and ranging into ultraliberal advocacy and attack journalism. Attempts at obviating such arrogance, he notes, have been slightly effective; but, in the end, the liberal media elite even scuttled the toothless National News Council (on which Rusher served as a member of its Grievance Committee). Accountability is not tolerated because the media elite are intent on winning their "bid for greater power and status in the American society."

Rusher sees contemporary American history as a Manichean conflict between conservatism and liberalism for the soul of the nation, and his book functions to reinforce conservative resolve and keep liberals on the defensive. Perhaps the most notable critique of his thesis, however, is American history itself. The fact is that for the last twenty years popular and intellectual conservatism has been growing and placing conservatives in the White House, despite the ostensibly liberal bias of the media elite, just as radicalism developed even when the media were conservative in the '50s and '60s, with Presidents intimidated by the ragings of crusty old Henry Luce. These contradictions indicate that the media elite are not entirely successful in achieving the long-term agenda which Rusher postulates. There is a media elite, but it is not homogeneous. It functions in the context of a varied, pluralistic communications environment, which shows every sign of growth and diversity.

Gary Marotta
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